

CITY OF HUMBLE
ORDINANCE NO. 09-668

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUMBLE, TEXAS, BY ADDING A NEW CHAPTER 33, "SIGNS"; PROVIDING RULES AND REGULATIONS GOVERNING SIGNS WITHIN THE CITY; PROVIDING DEFINITIONS; REQUIRING PERMITS FOR CONSTRUCTION OF SIGNS; PROHIBITING SIGNS NOT EXPRESSLY PERMITTED OR EXEMPT FROM REGULATION; PROHIBITING OFF-PREMISE, ABANDONED AND DILAPIDATED SIGNS; PROVIDING FOR THE REMOVAL OF PROHIBITED SIGNS; PROVIDING FOR NONCONFORMING SIGNS; PROVIDING A PENALTY IN AN AMOUNT OF NOT MORE THAN \$2,000 FOR VIOLATION OF ANY PROVISION OF THIS ORDINANCE; PROVIDING FOR CUMULATIVE EFFECT; PROVIDING FOR SEVERABILITY; AND MAKING OTHER FINDINGS RELATED HERETO.

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUMBLE, TEXAS:

Section 1. The Code of Ordinances of the City of Humble, Texas, is hereby amended by the adding thereto a new Chapter 33, "Signs" to provide as follows:

"CHAPTER 33

SIGNS

ARTICLE I. IN GENERAL

Sec. 33-1. Purpose.

The purpose of this chapter is to establish reasonable regulations for the design, construction, installation, and maintenance of all exterior signs within the City of Humble in order to:

- (1) balance the right of individuals to identify their businesses and convey their messages and the right of the public to be protected against the unrestricted proliferation of signs;
- (2) further the objectives of the city's comprehensive plan;
- (3) protect the public health, safety, and welfare;

- (4) reduce traffic hazards;
- (5) facilitate the creation of an attractive and harmonious community;
- (6) protect property values;
- (7) promote economic development; and
- (8) Preserve the right of free speech exercised through the use of signs containing noncommercial messages.

Sec. 33-2. Definitions.

As used in this chapter, unless the context indicates otherwise:

Advertising shall mean to seek the attraction of or to direct the attention of the public to any goods, services, business, activity, or merchandise of any kind or type.

Amateur ball park signs shall mean those signs constructed, attached, hung, placed, suspended, affixed, or painted upon a structure in an amateur ball park that seek the attention of or direct the attention of patrons of the ball park to any goods, services, business, activities, or merchandise of any kind or type.

Business establishment shall mean any property, building, or structure, permanent or temporary, used for the purpose of conducting in said building or structure, or on said property, a legitimate commercial enterprise in compliance with all ordinances and regulations of the city governing such activity; business establishment shall not include any property, building, or structure used for the primary purpose of securing a permit to erect a sign.

Business purposes shall mean the erection or use of any property, building, or structure, permanent or temporary, used for the purpose of conducting in said building or structure, or on said property, a legitimate commercial enterprise in compliance with all ordinances and regulations of the city governing such activity; business purpose shall not include any property, building, or structure erected or used for the primary purpose of securing a permit to erect a sign.

City manager shall mean the person appointed by the mayor and approved by the city council to administer, enforce, and carry out the terms and conditions of this chapter and all other provisions of laws or ordinances relating to signs. The term “city manager” includes the city manager’s designee.

Erect shall mean to build, construct, attach, hang, place, suspend, affix, or paint a sign.

Facing or surface shall mean the surface of the sign upon, against, or through which a

Illuminated sign shall mean any sign that has characters, letters, fixtures, designs, or outlines illuminated externally by electric lights or internally by luminous tubes or other devices.

Incombustible material shall mean any material that will not ignite at or below a temperature of twelve hundred (1200) degrees Fahrenheit and will not continue to burn or glow at that temperature.

Monument sign shall mean any freestanding sign having a low profile and made of masonry, metal, rounded wood planks or beams, durable plastic or similar materials, including individual lettering, which repeat or harmonize with the architecture of the establishment it serves. Monument signs must be built on a monument base as opposed to a pole base.

Multifamily dwelling complex shall mean a townhouse, condominium, or apartment complex of one (1) or more buildings or portions thereof located on a single tract of land that contain three (3) or more separate dwelling units that share means of egress and other essential facilities.

Off-premise sign shall mean any sign advertising a business, person, activity, goods, products, or services not usually located on the premises where the sign is installed and maintained, or that directs persons to any location not on the premises.

On-premise sign shall mean any sign identifying or advertising the person, activity, goods, business, products, or services primarily sold or offered for sale on the premises or property where the sign is installed and maintained when such premise is used for business purposes.

Permittee shall mean a person receiving a sign permit pursuant to the provisions of this chapter.

Person shall mean an individual, company, corporation, partnership, association, or any other entity.

Pole sign shall mean any sign supported by one (1) or more columns, poles, uprights, or braces anchored in or on the ground and not attached to any building and as defined by the International Building Code adopted by Chapter 12 of this Code.

Portable sign shall mean any sign designed or constructed to be easily moved from one (1) location to another and which is mounted upon or designed to be mounted upon a wheeled carrier or other framed structure.

Residential purposes shall mean property devoted to use as a single-family or multifamily residence. Residential purposes shall include, but not be limited to, property used for houses, apartments, duplexes, condominiums, townhouses, townhomes, and patio homes; property used for hotels, motels, and boardinghouses shall not be considered as used for residential purposes.

Right-of-way shall mean that property or right-of-way owned by the city, county, or state and used for the purposes of roads, highways, drainage, and public utilities.

Shopping center or integrated business development shall mean a commercial development, such as a strip center, mall, multi-tenant office building, commercial center, or industrial complex, in which two (2) or more separate businesses occupy a single or multiple structure which share on-site parking facilities and common driveways.

Sign shall mean any writing, pictorial representation, illustration, emblem, symbol, design, or other figure of similar character which is a structure or a part thereof, or is attached to or in any manner represented on a building or other structure, is placed out of doors in view of the general public, and is used for purposes of advertisement, announcement, declaration, demonstration, display, identification, or expression. The term 'sign shall include the sign structure.

Sign permit shall mean a permit issued by the city to erect a sign. Additionally, a sign permit refers to the continuing authorization by the city for the permit holder to maintain and operate a sign within the city while such sign conforms to the provisions of this chapter.

Sign structure shall mean any structure, device, or system which supports or is capable of supporting a sign.

Temporary business sign shall mean any sign, banner, pennant, or other advertising display constructed of cloth, canvas, light fabric, cardboard, or other light materials, with or without frames, with or without words, intended to be displayed for a limited period of time on the property of the business.

Wall sign shall mean any sign mounted parallel to a wall of any building extending eighteen (18) inches or less horizontally from the structure to which it is affixed.

Wind device sign shall mean any flag, banner, pennant, streamer, balloon, or similar sign made of cloth, canvass, plastic, or other flexible material, with or without a frame or other supporting structure that moves or is designed or intended to move or blow in the wind.

Sec. 33-3. Sign districts created.

There are hereby created the following sign districts:

- (1) *Sign District A.* Sign District A shall include all property located within the city:
 - a. adjacent to and fronting on the right-of-way of I-59 and its frontage roads;
 - b. adjacent to and fronting on the right-of-way of FM 1960 Bypass Road East;
 - c. adjacent to and fronting on the right-of-way of FM 1960 Bypass Road West; or
 - d. adjacent to and fronting Will Clayton Parkway and its frontage roads.

(2) *Sign District B.* Sign District B shall include all property that is not included within Sign District A located within the city:

- a. adjacent to and fronting on the rights-of-way of State Spur 184;
- b. adjacent to and fronting on the rights-of-way of Wilson Road; or
- c. adjacent to and fronting on the rights-of-way of Houston Avenue between Issacks and First streets.

(3) *Sign District C.* Sign District C shall include all property that is not located within Sign District A or Sign District B.

Secs. 33-4 – 33.25. Reserved

ARTICLE II. REGULATIONS

Sec. 33-26. Permit required.

Except as provided in section 33-51 hereof, it shall be unlawful for any person to erect, relocate, or structurally alter, any sign or other advertising structure as defined in this chapter, without first obtaining a sign permit from the city manager and paying the permit fee required by section 33-29. Additionally, all illuminated signs shall be subject to the provisions of the city's electrical code and its requisite permit fees. No permit is required for change of copy or message or for repair, repainting, or maintenance that does not entail structural change.

Sec. 33-27. Application for sign permit.

Application for a sign permit shall be made upon a form provided by the city manager and shall contain and have attached the following information:

- (1) The name, address, and telephone number of the applicant;
- (2) The location of the building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected;
- (3) The location of the sign or other advertising structure in relation to nearby buildings or structures;
- (4) Two (2) blueprints or drawings of the plans and specifications of the sign and a description of the proposed method of construction and attachment to the building or on the ground;
- (5) A certification and/or calculations showing that the sign is designed to meet the wind pressure and dead load requirements of the International Building Code adopted by

Chapter 12 of this Code and all other laws and ordinances of the city. The city manager may require such certification and calculation to be made by a registered professional engineer if the sign is in excess of seven feet in height or 100 square feet in area.

- (6) The name of the person erecting the sign;
- (7) The written consent of the owner of the building, structure, or land to which or on which the sign is to be erected;
- (8) Any required electrical permit;
- (9) Such other information as the city manager shall require to show full compliance with this and all other laws and ordinances of the city.

Sec. 33-28. Permit issuance.

Upon the filing of an application for a sign permit, the city manager shall:

- (1) Examine the plans and specifications and the premises upon which the proposed sign shall be erected; and
- (2) Issue a permit if the proposed sign complies with the requirements of this chapter and all other laws and ordinance of the city. If the work authorized under a sign permit is not completed within six (6) months after the date of issuance, the permit shall become null and void.

Sec. 33-29. Permit fee.

Every applicant, prior to issuance of a permit pursuant to section 33-28 hereof, shall pay to the city a nonrefundable fee, in accordance with the International Building Code adopted pursuant to Chapter 12 hereof and on file with the city manager, for each sign or other advertising structure regulated by this chapter.

Sec. 33-30. Variances.

Within thirty (30) days after denial of a sign permit by the city manager, a request for variance may be filed with the city council. The city council may grant a variance and relax the terms of this chapter where such variance will not be contrary to the public interest and where, because of conditions peculiar to the property and not as the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardship.

Sec. 33-31. Revocation of permit.

The city manager may revoke any permit where there has been a violation of the provisions of this chapter or a misrepresentation of fact on the permit application.

Sec. 33-32. Number, date, and voltage.

(1) Every permitted sign or other advertising structure shall display in a conspicuous place on such sign or structure, in letters no less than one (1) inch in height, the date of erection, the permit number, and the voltage of any electrical apparatus used.

(2) The top of all signs and sign structures shall have a minimum vertical clearance from any other structure of fourteen (14) feet, and shall have a clearance equal to its height from any transmission line carrying seven hundred fifty (750) volts or greater.

Secs. 33-33 – 33-50. Reserved.

ARTICLE III. TYPES OF SIGNS

Sec. 33-51. Signs allowed in all districts.

The following signs are allowed in all districts and are exempt from the permit requirements of this chapter:

(1) Temporary real estate signs not exceeding sixteen (16) square feet in area that advertise the sale, rental, or lease of the premises upon which the sign is located. Such signs shall be removed not later than the seventh day following the sale, rental, or lease of the subject property. Such signs shall only be located on private property.

(2) A sign that contains primarily a political message and that is located on private real property with the consent of the property owner. Private real property does not include real property subject to an easement or other encumbrance that allows a municipality to use the property for a public purpose. Provided, however, the sign may not have a sign area greater than thirty-six (36) square feet, be more than eight (8) feet in height, be illuminated or have a moving part. This subsection 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 measures that are not primarily political.

(3) Temporary signs advertising the date, time, and location of a garage or yard sale and not exceeding four (4) square feet in area. Such signs shall be erected not more than three (3) days prior to and removed not later than one (1) day after the date of the sale;

(4) Signs which are an integral part of the historical character of a designated historic district or a building that has been designated a landmark;

(5) Public signs regulating vehicular or pedestrian traffic or designating or giving direction to streets, schools, hospitals, historical sites, or public facilities;

- (6) Flags of any government or governmental agency or any patriotic, religious, charitable, civic, educational, or fraternal organization and not exceeding forty (40) square feet in area;
- (7) Temporary signs advertising special community events or other community activities sponsored by nonprofit organizations or churches. Such signs shall not exceed thirty-two (32) square feet in area, shall not be erected more than ten (10) days in advance of the event and shall be removed within three (3) days after such event. Temporary signs shall be securely anchored and shall not exceed seven (7) feet in height from ground level;
- (8) Temporary displays or decorations customarily associated with any national, state, local, or religious holiday or celebration. Such signs shall be erected not more than forty-five (45) days before the holiday or celebration and removed not later than ten (10) days after such holiday or celebration;
- (9) Handheld signs of a noncommercial nature not set on or affixed to the ground and not exceeding ten (10) square feet in area;
- (10) Temporary signs identifying the architect, engineer, developer or contractor when placed upon construction sites and not exceeding sixty-four (64) square feet in area. Such signs shall not be erected prior to approval of a site plan and shall be removed not later than ten (10) days after completion of the project;
- (11) Signs identifying the name and profession of the occupant(s) of a business establishment and not exceeding two (2) square feet in area;
- (12) Memorial or commemorative plaques or tablets denoting a building name and/or date of erection or a location of historic significance and not exceeding four (4) square feet in area;
- (13) Any sign for informational (non-advertisement) purposes not exceeding one (1) square foot in area with letters not exceeding four (4) inches in height;
- (14) Property identification signs indicating address and/or name and not exceeding two (2) square feet in area located on property used for residential purposes or five (5) square feet in area located on property used for business purposes;
- (15) Temporary business signs shall be permitted, provided that:
 - a. Temporary business signs of combustible material shall not exceed sixty (60) square feet in area;
 - b. Temporary business signs weighing in excess of fifty (50) pounds must conform to the safety requirements of the building code of the city and must be approved by the city manager;

- c. Temporary business signs shall not extend over or into any street right-of-way, alley, sidewalk, or other public thoroughfare;
- d. Temporary business signs shall be attached with wire or steel cables. Strings, ropes, or wood slats for anchorage or support purposes shall not be permitted;
- e. Temporary business signs shall not be allowed to remain for a period exceeding fifteen (15) days in a six (6) month period;
- f. Temporary business signs must be on-premise signs; and
- g. Only one (1) temporary business sign may be displayed at any given time.

(16) Amateur ball park signs;

(17) Signs erected by the city, the State of Texas (including its political subdivisions, such as school districts), or the United States government, or otherwise required by federal, state, or local laws;

(18) Directory signs, menu boards and the like, which are designed to be read from a distance no greater than ten (10) feet;

(19) Religious emblems when installed in compliance with zoning regulations and constructions codes; and

(20) Notwithstanding any other provision of this chapter, any sign that may display a commercial message may also display any noncommercial message, either in place of or in addition to the commercial message, so long as the sign complies with the other requirements of this chapter.

Sec. 33-52. Signs prohibited in all districts.

Signs prohibited by this chapter include, but are not limited to, the following:

(1) Signs that are inadequately maintained so as to show evidence of deterioration, including peeling, rust, dirt, fading, discoloration or holes. Damaged signs shall be repaired or removed within thirty (30) days of receipt of notice from the city;

(2) Signs that advertise a business or product which is no longer in existence. Abandoned or outdated signs shall be replaced or removed within thirty (30) days of receipt of notice from the city;

- (3) Signs that are erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape;
- (4) Signs that obstruct free and clear vision at any street intersection;
- (5) Signs that interfere with, obstruct the view of, or may be confused with any authorized traffic sign, signal, or device because of its position, shape, or color;
- (6) Signs that use the words "STOP," "LOOK," "GO SLOW," "CAUTION," "DANGER," "WARNING," or any other word, phrase, symbol or character in a manner that interferes with, misleads, or confuses traffic;
- (7) Signs that constitute a hazard to safety or health by reason of inadequate design, construction, repair, or maintenance;
- (8) Signs that are illuminated with lights that cause a glare into or upon the surrounding area or any property used for residential purposes or that distract operators of vehicles or pedestrians on a public right-of-way;
- (9) Signs that contain reflectors, lights or illuminations that flash, move, rotate, scintillate, blink, flicker, vary in intensity or color, or use intermittent electrical pulsation. This subsection does not prohibit LED signs that otherwise comply with this subsection and do not change the display more often than once every 2 minutes;
- (10) Signs that display any matter in which the dominant theme of the material taken as a whole appeals to a prurient interest in sex, or is patently offensive because it affronts contemporary community standards relating to the description or representation of sexual matters, and is utterly without redeeming social value;
- (11) Signs that are painted on or attached to a motor vehicle used primarily for the display of such sign. This chapter shall not prohibit the identification of a business or its products or services on a vehicle(s) operated and parked in a manner appropriate to the normal course of business;
- (12) Signs that have visible moving, revolving, or rotating parts or visible mechanical movement of any kind, achieved by electrical or mechanical means, except for time-temperature-date signs. A message board or electronically displayed date, time, and temperature may not occupy more than twenty-four (24) square feet of the area of sign face;
- (13) Signs attached to or located upon outdoor exposed amenities such as trees, street signs, utility poles, or fences, that are visible from any street;
- (14) Signs that are off-premise signs;

(15) Signs or portions thereof that are located on, or project or extend over, any public right-of-way, any public sidewalk, street, alley, or other public property; and

(16) Wind device signs that cause confusion or obstruction to traffic on adjacent public streets.

Sec. 33-53. Additional signs allowed--Sign District A.

Business establishments within Sign District A shall be allowed signage in accordance with the provisions of this section. If, however, the business establishment is part of a shopping center or an integrated business development, the signage allowed shall be as provided in Section 33-56 (1) hereof. A permit is required for the sign(s) allowed under this section.

(1) Pole signs.

a. Each business establishment with less than two hundred (200) feet of frontage on I-59, or its frontage road, FM 1960 Bypass Road East, FM 1960 Bypass Road West or Will Clayton Parkway is permitted one (1) pole sign not exceeding two hundred (200) square feet in area and not exceeding thirty (30) feet in height, including the supporting structure, above the surrounding finished grade level. The bottom of the sign shall not be less than nine (9) feet above the surrounding finished grade level. The pole sign may have a reader panel attached to it, however, a reader panel shall be included in the calculation of total sign area. The pole or support structure shall be visibly marked if the pole sign is located in a parking area.

b. Each business establishment with more than two hundred (200) feet of frontage on I-59, or its frontage road, FM 1960 Bypass Road East, FM 1960 Bypass Road West or Will Clayton Parkway is permitted one (1) pole sign not exceeding three hundred (300) square feet in area and not exceeding forty (40) feet in height, including the supporting structure, above the surrounding finished grade level. The bottom of the sign shall not be less than nine (9) feet above the surrounding finished grade level. The pole sign may have a reader panel attached to it, however, a reader panel shall be included in the calculation of total sign area. The pole or support structure shall be visibly marked if the pole sign is located in a parking area.

c. An additional pole sign may be permitted for a business establishment that is on the corner of an intersection of I-59, or its frontage road, FM 1960 Bypass Road East, FM 1960 Bypass Road West or Will Clayton Parkway and a city street. Such additional sign shall face the adjacent city street at any angle. The additional sign shall not exceed twenty-five (25) feet in height, including the supporting structure, above the surrounding finished grade level. The bottom of the sign shall not be less than nine (9) feet above the surrounding finished grade level. The additional sign shall not exceed one hundred (100) square feet. The

total sign area of both signs combined shall not exceed three hundred (300) or four hundred (400) square feet, as applicable.

d. A pole sign shall be located such that all parts of such sign are a minimum of five (5) feet from all property lines.

(2) Monument signs.

a. In lieu of and not in addition to a pole sign, each business establishment is permitted one (1) single or double-faced monument sign not exceeding one hundred fifty (150) square feet in area and not exceeding twelve (12) feet in height above the surrounding finished grade level.

b. The location of a monument sign is subject to approval by the city manager to ensure that the location does not cause an obstruction to the view of traffic or create a hazard to traffic or pedestrians; provided, however, all monument signs shall be located not less than five (5) feet from all property lines and, provided further, monument signs shall be located not less than fifteen (15) feet from the edge of the property line on the corner of an intersection of two (2) streets.

c. If a business establishment has elected to use a monument sign in lieu of a pole sign, an additional monument sign may be permitted for a business establishment that is on the corner of an intersection of I-59, or its frontage road, FM 1960 Bypass Road East, FM 1960 Bypass Road West or Will Clayton Parkway and a city street. The additional sign may face the adjacent city street at any angle. The additional sign shall not exceed ten (10) feet in height above the surrounding finished grade level. The additional sign shall not exceed twenty-five (25) square feet in area. The total sign area of both signs combined shall not exceed one hundred seventy-five (175) square feet.

(3) Wall signs.

a. In addition to a pole sign or monument sign, each business establishment is permitted one (1) wall sign per exterior wall, not exceeding in total square feet fifteen (15) percent of the facade to which it is affixed. Business establishments located in "strip centers" may place one wall sign that does not exceed the average square feet of other existing wall signs within the same strip center.

b. A wall sign may not project above the roof line of a building, except for buildings with parapet walls. A wall sign on a parapet wall shall not project above the parapet, except vertical wall signs perpendicular to a parapet wall which have a height of at least three (3) times its width may project above the parapet up to one-third (1/3) of its height, not to exceed (10) feet.

Sec. 33.54. Additional Signs Allowed --Sign District B.

Business establishments within Sign District B shall be allowed signage in accordance with the provisions of this section. If, however, the business establishment is part of a shopping center or an integrated business development, the signage allowed shall be as provided in section 33-56 (2) hereof. A permit is required for the sign(s) allowed under this section.

(1) Pole signs. Each business establishment with frontage on State Spur 184, Wilson Road or Houston Avenue between Issacks and First Streets is permitted one (1) pole sign not exceeding sixty (60) square feet in area and not exceeding twenty (20) feet in height, including the supporting structure, above the surrounding finished grade level. The bottom of the sign shall not be less than nine (9) feet above the surrounding finished grade level. The pole sign may have a reader panel attached to it, however, a reader panel shall be included in the calculation of total sign area. The pole or support structure shall be visibly marked if the pole sign is located in a parking area.

(2) Monument signs.

a. In lieu of and not in addition to a pole sign, each business establishment with frontage on State Spur 184, Wilson Road or Houston Avenue between Issacks and First Streets is permitted one (1) single or double-faced monument sign not exceeding thirty (30) square feet in area and not exceeding twelve (12) feet in height above the surrounding finished grade level.

b. The location of a monument sign is subject to approval by the city manager to ensure that the location does not cause an obstruction to the view of traffic or create a hazard to traffic or pedestrians; provided, however, all monument signs shall be located not less than five (5) feet from all property lines and, provided further, monument signs shall be located not less than fifteen (15) feet from the edge of the property line on the corner of an intersection of two (2) streets.

c. If a business establishment has elected to use a monument sign in lieu of a pole sign, an additional monument sign may be permitted for a business establishment that is on the corner of an intersection of State 184, Wilson Road or Houston Avenue between Issacks and First Streets and a city street. The additional sign may face the adjacent city street at any angle. The additional sign shall not exceed twelve (12) feet in height above the surrounding finished grade level. The additional sign shall not exceed twenty (20) square feet in area. The total sign area of both signs combined shall not exceed fifty (50) square feet.

(3) Wall signs.

a. In addition to a monument sign, each business establishment is permitted one (1) wall sign per exterior wall, not exceeding in total square feet fifteen (15) percent of the facade to which it is affixed. Business establishments located in

"strip centers" may place one wall sign that does not exceed the average square feet of other existing wall signs within the same strip center.

b. A wall sign may not project above the roof line of a building, except for buildings with parapet walls. A wall sign on a parapet wall shall not project above the parapet, except vertical wall signs perpendicular to a parapet wall which have a height of at least three (3) times its width may project above the parapet up to one-third (1/3) of its height, not to exceed (10) feet.

Sec. 33-55. Additional Signs Allowed --Sign District C.

Business establishments within Sign District C shall be allowed signage in accordance with the provisions of this section. If, however, the business establishment is part of a shopping center or an integrated business development, the signage allowed shall be as provided in section 33-56 (3). A permit is required for the sign(s) permitted under this section.

(1) Pole signs. Each business establishment in District C is permitted one (1) pole sign not exceeding sixteen (16) square feet in area and not exceeding fifteen (15) feet in height, including the supporting structure, above the surrounding finished grade level. The bottom of the sign shall not be less than nine (9) feet above the surrounding finished grade level. The pole sign may have a reader panel attached to it, however, a reader panel shall be included in the calculation of total sign area. The pole or support structure shall be visibly marked if the pole sign is located in a parking area.

(2) Monument signs.

a. In lieu of and not in addition to a pole sign, each business establishment is permitted one (1) single or double-faced monument sign not exceeding sixteen (16) square feet in area and not exceeding six (6) feet in height above the surrounding finished grade level.

b. The location of a monument sign is subject to approval by the city manager to ensure that the location does not cause an obstruction to the view of traffic or create a hazard to traffic or pedestrians; provided, however, all monument signs shall be located not less than five (5) feet from all property lines and, provided further, monument signs shall be located not less than fifteen (15) feet from the edge of the property line on the corner of an intersection of two (2) streets.

(3) Wall signs.

a. In addition to a pole sign or monument sign, each business establishment is permitted one (1) wall sign per exterior wall, not exceeding in total square feet fifteen (15) percent of the facade to which it is affixed. Business establishments located in "strip centers" may place one wall sign that does not exceed the average square feet of other existing wall signs within the same strip center.

b. A wall sign may not project above the roof line of a building, except for buildings with parapet walls. A wall sign on a parapet wall shall not project above the parapet, except vertical wall signs perpendicular to a parapet wall which have a height of at least three (3) times its width may project above the parapet up to one-third (1/3) of its height, not to exceed (10) feet.

Sec. 33-56. Additional Signs Allowed -- Shopping centers and integrated business development.

Shopping centers and integrated business developments shall be allowed signage in accordance with the provisions of this section. A permit is required for the sign(s) allowed under this section.

(1) Sign District A.

a. Each shopping center or integrated business development with less than two hundred (200) feet of frontage on I-59, or its frontage road, FM 1960 Bypass Road East, FM 1960 Bypass Road West or Will Clayton Parkway is permitted one (1) pole sign not exceeding two hundred fifty (250) square feet in area plus an additional twenty (20) square feet in area for each business establishment located in the shopping center or integrated business development. The pole sign shall not exceed thirty-five (35) feet in height, including the supporting structure, above the surrounding finished grade level. The bottom of the sign shall not be less than nine (9) feet above the surrounding finished grade level. The pole sign may have a reader panel attached to it, however, a reader panel shall be included in the calculation of total sign area. The pole or support structure shall be visibly marked if the pole sign is located in a parking area.

b. Each shopping center or integrated business development with more than two hundred (200) feet of frontage on I-59, or its frontage road, FM 1960 Bypass Road East, FM 1960 Bypass Road West or Will Clayton Parkway is permitted one (1) pole sign not exceeding three hundred fifty (350) square feet in area plus an additional twenty (20) square feet in area for each business establishment located in the shopping center or integrated business development. The pole sign shall not exceed thirty-five (35) feet in height, including the supporting structure, above the surrounding finished grade level. The bottom of the sign shall not be less than nine (9) feet above the surrounding finished grade level. The pole sign may have a reader panel attached to it, however, a reader panel shall be included in the calculation of total sign area. The pole or support structure shall be visibly marked if the pole sign is located in a parking area.

c. An additional pole sign may be permitted for a shopping center or integrated business development that is on the corner of an intersection of I-59, or its frontage road, FM 1960 Bypass Road East or FM 1960 Bypass Road West or Will Clayton Parkway and a city street. The additional sign shall face the adjacent

city street at any angle. The additional sign shall not exceed thirty (30) feet in height, including the supporting structure, above the surrounding finished grade level. The bottom of the sign shall not be less than nine (9) feet above the surrounding finished grade level. The additional sign shall not exceed one hundred fifty (150) square feet plus an additional twenty (20) square feet in area for each business establishment located within the shopping center or integrated business establishment. The total sign area of both signs combined shall not exceed four hundred (400) or five hundred (500) square feet in area, as applicable, plus an additional twenty (20) square feet in area for each business establishment located in the shopping center or integrated business development.

d. A pole sign shall be located such that all parts of such sign are a minimum of five (5) feet from all property lines.

e. In lieu of a pole sign, a shopping center or integrated business development is permitted one (1) single or double-faced monument sign not exceeding sixty (60) square feet in area plus an additional five (5) square feet in area for each business establishment located in the shopping center or integrated business development and not exceeding twelve (12) feet in height above the surrounding finished grade level.

f. The location of a monument sign is subject to the approval of the city manager to ensure that the location does not create hazards to traffic or pedestrians, provided, however, all monument signs shall be located not less five (5) feet from all property lines and, provided further, monument signs shall be located not less than forty-five (45) feet from the corner of an intersection of two (2) streets.

g. If a shopping center or integrated business development chooses to erect a monument sign in lieu of a pole sign, an additional monument sign may be permitted for the shopping center or integrated business development that is on the corner of an intersection of I-59, or its frontage road, FM 1960 Bypass Road East, FM 1960 Bypass Road West or Will Clayton Parkway and a city street. The additional sign shall face the adjacent city street at any angle. The additional sign shall not exceed six (6) feet in height above the surrounding finished grade level. The additional sign shall not exceed one (1) fifty (50) square feet, plus an additional five (5) square feet in area for each business establishment located within the shopping center or integrated business establishment. The total sign area of both signs combined shall not exceed one hundred ten (110) square feet plus an additional five (5) square feet in area for each business establishment located in the shopping center or integrated business development.

h. In addition to a pole sign or monument sign as permitted herein, each business establishment located in a shopping center or integrated business development is permitted one (1) wall sign in accordance with section 33-53 (3).

(2) Sign District B.

a. Each shopping center or integrated business development is permitted one (1) single or double-faced monument sign not exceeding fifty (50) square feet in area plus an additional five (5) square feet in area for each business establishment located in the shopping center or integrated business development and not exceeding twelve (12) feet in height above the surrounding finished grade level.

b. The location of a monument sign is subject to the approval of the city manager to ensure that the location does not create hazards to traffic or pedestrians, provided, however, all monument signs shall be located not less than five (5) feet from all property lines and, provided further, monument signs shall be located not less than forty-five (45) feet from the corner of an intersection of two (2) streets.

c. An additional monument sign may be permitted for each shopping center or integrated business development that has frontage on State Spur 184, Wilson Road or Houston Avenue between Issacks and First Streets and another public street. The additional sign shall face the other public street at any angle. The additional sign shall not exceed six (6) feet in height above the surrounding finished grade level. The additional sign shall not exceed thirty (30) square feet in area plus an additional five (5) square feet for each business establishment located in such shopping center or integrated business development. The total sign area of both signs combined shall not exceed eighty (80) square feet plus an additional five (5) feet for each business establishment located in the shopping center or integrated business development.

d. In addition to a monument sign as permitted herein, each business establishment located in a shopping center or integrated business development is permitted one (1) wall sign in accordance with subsection (2) of section 33-54 (3) hereof.

(3) Sign District C.

a. Each shopping center or integrated business development is permitted one (1) single or double-faced monument sign not exceeding twenty-four (24) square feet in area plus an additional three (3) square feet in area for each business establishment located in the shopping center or integrated business development and not exceeding six (6) feet in height above the surrounding finished grade level.

b. The location of a monument sign is subject to the approval of the city manager to ensure that the location does not create hazards to traffic or pedestrians, provided, however, all monument signs shall be located not less than five (5) feet from all property lines and, provided further, monument signs shall

be located not less than forty-five (45) feet from the corner of an intersection of two (2) streets.

c. An additional monument sign may be permitted for each shopping center or integrated business development that is on the corner of an intersection of two (2) public streets. One (1) sign shall face each adjacent street at any angle. The additional sign shall not exceed four (4) feet in height above the surrounding finished grade level. The additional sign shall not exceed sixteen (16) square feet in area plus three (3) square feet for each business establishment located in the shopping center or integrated business development. The total sign area of both signs combined shall not exceed forty (40) square feet plus an additional three (3) square feet for each business establishment located in the shopping center or integrated business development.

d. In addition to a monument sign as permitted herein, each business establishment located in a shopping center or integrated business development is permitted one (1) wall sign in accordance with subsection (3) of section 33-55 (3) hereof.

Sec. 33-57. Permanent identification signs.

(1) Single-family residential subdivisions are permitted permanent monument signs at each major entrance to the subdivision. The total sign surface area at each entrance shall not exceed thirty-two (32) square feet in area and shall not exceed six (6) feet in height above the surrounding finished grade level. The location of the monument sign is subject to approval of the sign administrator to ensure that the location does not create hazards to traffic or pedestrians. Subdivisions which consist of more than one (1) platted section are allowed an additional monument sign of not more than sixteen (16) square feet in area and not exceeding six (6) feet in height for each major entrance to each section therein; however, in the case where the major entrance to the subdivision is also a major entrance to a section of the subdivision, that entrance shall be limited to a monument sign of not more than thirty-two (32) square feet.

(2) A townhouse, condominium, or apartment complex is permitted one (1) single or double-faced monument sign on the premises, not exceeding fifty (50) square feet in area and not exceeding twelve (12) feet in height above the surrounding finished grade level. The location of the monument sign is subject to the approval of the sign administrator to ensure that the location does not create hazards to traffic or pedestrians; provided, however, all monument signs shall be not less than five (5) feet from all property lines and, provided further, monument signs shall be located not less than forty-five (45) feet from the corner of an intersection of two (2) streets. In addition to a monument sign, each multifamily dwelling complex is permitted one (1) wall sign not exceeding in total square feet fifteen (15) percent of the facade to which it is affixed. A wall sign may not project above the roof line of a building, except for buildings with parapet walls, in which case the signage shall be flush with the wall and shall not project above the parapet.

- (3) A permit is required for the sign(s) allowed under this section.

Sec. 33-58. Not-for-profit entities or private school signs.

A not-for-profit entity or private school shall be allowed to erect one (1) single or double-faced monument sign on the property on which the not-for-profit entity or school is located. The sign shall not exceed fifty (50) square feet in area and shall not exceed twelve (12) feet in height above the surrounding finished grade level. One (1) additional single or double-faced monument sign is allowed to identify a secondary use (such as a school) on the same property. The additional sign shall not exceed twenty-eight (28) square feet in area and shall not exceed eight (8) feet in height above the surrounding finished grade level. A permit is required for the sign(s) allowed under this section.

Sec. 33-59. Portable signs.

- (1) An on-premise portable sign shall be permitted for use by a business establishment or not-for-profit entity for the initial opening of such business or entity for a period not exceeding thirty (30) days. An on-premise portable sign may also be permitted for use by a business establishment or not-for-profit entity for a maximum period of thirty (30) days per calendar year.
- (2) Portable signs shall be permitted for use on a temporary basis by governmental agencies for notification to the public of special events and public information.
- (3) A permit is required for any portable sign(s) allowed under subsection (1) of this section. The location of a portable sign allowed under this section 33-59 must be approved by the city manager to ensure that the location does not create hazards to traffic or pedestrians.
- (4) The maximum area per side of a portable sign shall not exceed thirty-two (32) square feet.
- (5) Portable signs shall be securely anchored and constructed and erected in accordance with the city's building code and electrical code.
- (6) Portable signs shall be located not less than five (5) feet from all property lines and not less than forty-five (45) feet from the corner of and intersection of two (2) streets.

Secs. 33-60 – 33-75. Reserved.

ARTICLE IV. COMPLIANCE AND ENFORCEMENT

Sec. 33.76. Nonconforming signs.

A permanent sign erected within the city prior to the effective date of this chapter, which does not conform to the regulations of this chapter, shall be deemed to be a nonconforming sign

which shall be allowed to continue, with normal maintenance and repair only; provided, however, a nonconforming sign may not be enlarged upon, expanded, or extended, except as otherwise provided herein. It is not the intent of this section to encourage the survival of nonconforming signs; to the contrary, nonconforming signs are discouraged and contrary to the intent and purpose of this chapter.

(1) A nonconforming sign shall not be enlarged, expanded, extended, replaced, or rebuilt in case of obsolescence or total destruction by any means or cause.

(2) In the event a nonconforming sign is damaged by any means or cause and the repair or reconstruction cost, whichever is applicable, equals or exceeds fifty (50) percent of the fair market value of the sign at the time of the damage, it must be removed or brought into compliance with this chapter.

(3) In case any nonconforming sign is enlarged, expanded, extended, replaced, or rebuilt in violation of any of the terms of this chapter, the city manager shall give written notice by personal service or by certified mail, return receipt requested, to the owner, lessee, or person responsible for said sign, to remove the sign or bring the sign into compliance with this chapter. If such order is not complied with within ten (10) days, the city manager shall revoke the sign permit.

(4) All signs shall be placed by the owner or the party in control of the property or with the permission of such owner or party in control, and the owner or party in control shall be responsible for the prompt removal of any sign in accordance with the provisions of this chapter.

(5) Signs identified and described in section 33-52, subsections (2), (3), (4), (5), (6), (7), (10), (11), (13), (15), and (16) shall be removed within thirty (30) days after the effective date of this section.

(6) Nonconforming temporary business signs and portable signs shall be removed or made to conform to the provisions of this chapter within thirty (30) days after the effective date of this section.

(7) Additions and enlargements to a nonconforming monument sign in a shopping center or integrated business development are permitted provided such addition or enlargement:

- a. does not include replacement of the existing sign structure;
- b. does not increase the height or width of the sign; and
- c. does not cause the total area of all signs in the shopping center or integrated business development to exceed the total allowable square foot area.

Sec. 33-77. Periodic inspection.

The city manager shall inspect periodically or whenever deemed necessary, each sign or other advertising structure regulated by this chapter for the purpose of ascertaining whether the sign structure is unsafe, in need of repair, not in conformance with the permit application, or otherwise in violation of the provisions of this chapter.

Sec. 33-78. Appeals.

Any person wishing to appeal a decision of the city manager on the grounds that the decision misconstrues or wrongly interprets this chapter may, within thirty (30) days after such decision, appeal the same to the city council, pursuant to the rules and regulations adopted from time to time by the city council; provided, however, the appealing party shall give notice of the appeal in writing to the city secretary within said thirty (30) days following the decision appealed from and, provided further, the appealing party shall comply with the city manager's decision pending appeal, unless the city manager shall direct otherwise.

Sec. 33-79. Penal provision.

Any person violating any provision of this chapter, or failing to comply with any requirement of this chapter, shall be guilty of a misdemeanor and punishable as provided in section 1-11 of this Code. Each day during or upon which such person shall violate or continue violation of any provision of this chapter or noncompliance with any requirement of this chapter shall constitute a distinct and separate offense.”

Section 2. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 3. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Humble, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 5. All regulations provided in this Ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public.

Section 6. This Ordinance shall take effect upon its publication, as required by law.

PASSED, APPROVED, AND ADOPTED this 12th day of March 2009.

D. G. McMannes
Mayor

ATTEST:

Sue Daniel, City Secretary

