

## **ORDINANCE NO. 14-05**

**AN ORDINANCE OF THE CITY OF SOUTH PADRE ISLAND, TEXAS, AMENDING SECTION 15-2 OF CHAPTER 15 SIGNS BY REVISING THE DEFINITION OF 'SIGN' AND 'SIGN AREA'; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR A PENALTY OF FIVE HUNDRED DOLLARS (\$500.00) FOR ANY VIOLATION; PROVIDING FOR SEVERABILITY; AND AUTHORIZING PUBLICATION IN CAPTION FORM.**

**WHEREAS**, the City of South Padre Island has heretofore adopted Chapter 15 (Signs) of the Code of Ordinances; and

**WHEREAS**, the City Council finds that the Chapter 15 of the Code of Ordinance does not cover a specific case related to buildings that are not on public rights-of-way and/or not near to property boundaries;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH PADRE ISLAND, TEXAS:**

**Section 1.** The definition of "Signs" and "Sign Area" in Section 15-2 of the Chapter 15 Sign Ordinance is hereby amended and restated in its entirety to read as follows:

- (65) Sign: Any thing of visual appearance primarily used for, or having the effect of, attracting attention from the streets, sidewalks, ~~or other curbside~~ or any other public areas including waterways for identification purposes, whether illuminated or non-illuminated. An identification logo, description, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land, and which directs attention to a product, place, activity, person, service, institution or business, whether illuminated or non-illuminated. For the purposes of removal, the definition of "sign" shall include all of the sign structure. For the purposes of this Ordinance, this definition shall also include paintings directly upon a building, other structure or vehicle and any manufacture incorporated or added to a building or property that is not a normal structural or architectural component of a building shall be considered a "sign" (i.e. to attract attention from public right-of-way) and must comply with all the commercial sign regulations of this Chapter pertaining to either a monument sign or a projecting sign. (*Ord. 02-14; Nov. 20, 2002*) The basic intent behind this definition is not to discourage product displays, design, or art from epitomizing simplicity, good taste, and compatibility with the community's desired image.
- (66) Sign Area: The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself. The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces

visible from one point. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than 42 inches apart, the sign area shall be computed by the measurement of one of the faces. For buildings that are not on public rights-of-way and/or not near to property boundaries (e.g. building structures on a pier), sign areas shall be calculated on the basis of the most visible building frontage.

**Section 2.** This ordinance repeals all portions of any prior ordinances or parts of ordinances of the Code of Ordinances in conflict herewith.

**Section 3.** Any violation of the above mentioned section of Chapter 15 of the Code of Ordinances of the City of South Padre Island may be punished by a fine not to exceed five Hundred Dollars (\$500.00) for each offense of for each day such offense shall continue and the penalty provisions of Sections of Section 21-1 of the Code of Ordinances is hereby adopted and incorporated for all purposes.

**Section 4.** If for any reason any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word or provision of this ordinance for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

**Section 5.** This Ordinance shall become effective when published in caption form.

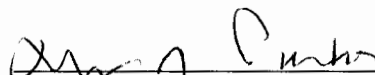
PASSED, APPROVED AND ADOPTED on First Reading, the 5<sup>th</sup> day of March 2014.

PASSED, APPROVED AND ADOPTED on Second Reading, the 2<sup>nd</sup> day of April 2014.

ATTEST:

CITY OF SOUTH PADRE ISLAND,  
TEXAS

  
Susan Hill, City Secretary

  
Robert N. Pinkerton, Jr., Mayor

