

ORDINANCE NO. 2015-558

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, AMENDING CHAPTER 4, ARTICLE XII, DIVISION 1, SECTIONS 4-236 AND 4-246, OF THE CITY OF CEDAR HILL CODE OF ORDINANCES; PROVIDING AN AMENDED DEFINITION OF THE TERM "KIOSK SIGN;" PROVIDING A REQUIREMENT FOR A CERTIFICATE OF OCCUPANCY FOR ANY ENTITY WHOSE DIRECTIONAL INFORMATION IS DISPLAYED ON A KIOSK SIGN; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PUBLICATION.

WHEREAS, the City of Cedar Hill is a home rule city within the State of Texas; and

WHEREAS, the City of Cedar Hill is empowered and authorized to regulate arterial, toll, and other roads, bridges, tunnels, and related facilities, and to develop and enforce master plans for the control of traffic; and to establish, coordinate, and enforce zoning and such regulations as are necessary for the protection of the public; and to perform any other acts which are in the common interest of the people and residents of the City of Cedar Hill; and

WHEREAS, the City of Cedar Hill finds, determines, and declares that the control and regulation of signs adjacent to expressways, limited access facilities and related approaches, viaducts, bridges, and road and highway interchanges is necessary for the protection of the public and essential for the common interest, welfare, and safety of the residents and visitors of the City of Cedar Hill; and

WHEREAS, on August 27, 2013, the City Council of the City of Cedar Hill adopted Ordinance No. 2013-514 which set forth regulations pertaining to the erection, use and maintenance of signs in the City of Cedar Hill; and

WHEREAS, Ordinance No. 2013-514 included provisions allowing for the City's design, erection, use and maintenance of kiosk signs in city right-of-ways to display directional information to new homes, developments, and municipal or community events or facilities, upon execution of a license agreement approved by the City; and

WHEREAS, Ordinance No. 2013-514 was codified in Chapter 4, Article XII, of the City of Cedar Hill's Code of Ordinances (the "Sign Ordinance"); and

WHEREAS, the City of Cedar Hill finds and determines that it is in the best interest of the citizens of Cedar Hill to amend its current Sign Ordinance to expand the use of kiosk signs to include directional information to emergency services, businesses, churches and other non-commercial establishments and locations lawfully operating with a certificate of occupancy within the city limits of the City of Cedar Hill.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILL:

SECTION 1. AMENDMENT OF CHAPTER 4, ARTICLE XII, DIVISION 1, SECTION 4-236 OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR HILL, TEXAS

Chapter 4, Article XII, Division 1, Section 4-236 of the Code of Ordinances of the City of Cedar Hill, Texas, is hereby amended as follows:

* * *

Kiosk sign shall mean a free-standing structure, owned or leased and controlled by or on behalf of the City, located in city rights-of-way, featuring a City of Cedar Hill identification panel at the top of each structure, for the City's use in displaying directional information to new homes, developments, municipal or community events or facilities, emergency services, businesses, churches and other non-commercial establishments and locations lawfully operating with a certificate of occupancy within the city limits of the City of Cedar Hill. Kiosk signs are subject to the provisions of Section 4-246 of this ordinance.

* * *

SECTION 2. AMENDMENT OF CHAPTER 4, ARTICLE XII, DIVISION 1, SECTION 4-246 OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR HILL, TEXAS

Chapter 4, Article XII, Division 1, Section 4-246 of the Code of Ordinances of the City of Cedar Hill, Texas, is hereby amended as follows:

* * *

9. Kiosk signs shall be used by the City to provide directional information to new homes, developments, municipal or community events or facilities, emergency services, businesses, churches and other non-commercial establishments and locations lawfully operating with a certificate of occupancy within the city limits of the City of Cedar Hill. Such directional information will be provided upon request and application to the City or its designee, by a qualified establishment or entity, on a first come first served basis, pursuant to the terms and conditions of this ordinance. Directional information to any establishment or entity shall be limited to a maximum of one panel, per side, per kiosk.

10. The City shall use the kiosk signs to display only the names of, and directional information to, new homes, developments, municipal or community events or facilities, emergency services, businesses, churches and other non-commercial establishments and locations lawfully operating within the city limits of the City of Cedar Hill. Pricing or other advertising or marketing information will not be displayed on the City's kiosk signs.

* * *

SECTION 3. SAVINGS CLAUSE

In the event that any other ordinance of the City of Cedar Hill, Texas, heretofore enacted is found to conflict with the provisions of this ordinance, this ordinance shall prevail.

SECTION 4. SEVERANCE CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.


SECTION 5. EFFECTIVE DATE

Because of the nature of the interest and safeguard sought to be protected by this ordinance and in the interest of health, safety and welfare of the citizens of the City of Cedar Hill, Texas, this ordinance shall take effect immediately after passage, publication and the erection of appropriate speed limits signs, as required by law.

SECTION 6. PUBLICATION

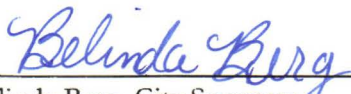
The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, APPROVED and ADOPTED by the City Council of Cedar Hill, Texas, on this the 14 day of July, 2015.



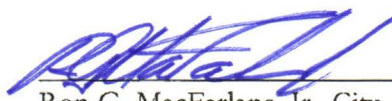
Rob Franke, Mayor

ATTEST:



Belinda Berg, City Secretary

APPROVED AS TO FORM:



Ron G. MacFarlane, Jr., City Attorney