

**ORDINANCE #G-17-25**

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA'S CODE OF ORDINANCES AS CHAPTER 36 SIGNS, SEC. 36-1 DEFINITIONS; SEC. 36-7, TEMPORARY SIGNS; PROVIDING FOR PURPOSE OF ORDINANCE, PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:

Section 1. Purpose.

The attached Exhibit A document identifies amendments that are to be made to various Sections of Chapter 36, Sec. 36-1 Definitions; Sec. 36-7 Temporary Signs, of the City of Port Lavaca's Code of Ordinances. Text that remains unchanged will be in black-colored letters, text that is new will be identified by red-colored underlined letters and all text to be deleted will be identified as blue-colored letters with strikethroughs.

Section 2. Severability.

It is specifically declared to be the intention of the City Council that sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment of decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any unconstitutional or invalid phrase, clause, sentence, paragraph or sections.

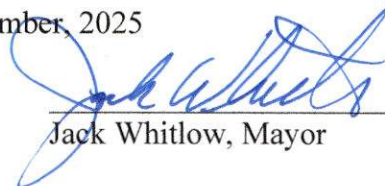
Section 3. Repeal.

All ordinances or parts of ordinances conflicting with or not consistent with the provisions of this article are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency or conflict, and in all respects, this article shall be cumulative of all other ordinances of the City of Port Lavaca regulating and governing the subject matter covered in this ordinance. Any cause of action accruing prior to the passage of this article shall continue as if this ordinance was not passed or any other ordinance had not been repealed.

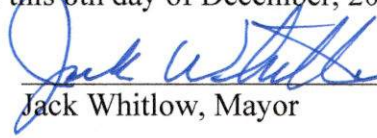
Section 4. Effective Date

THAT this ordinance shall become effective on the date of its passage.

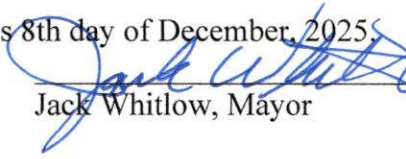
FIRST READING this 10th day of November, 2025

  
\_\_\_\_\_  
Jack Whitlow, Mayor

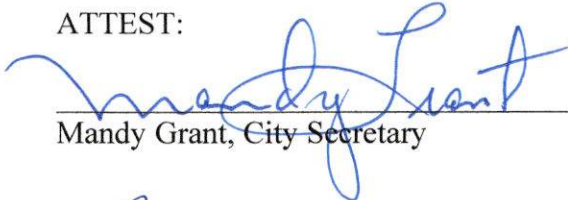
SECOND AND FINAL READING this 8th day of December, 2025

  
\_\_\_\_\_  
Jack Whitlow, Mayor

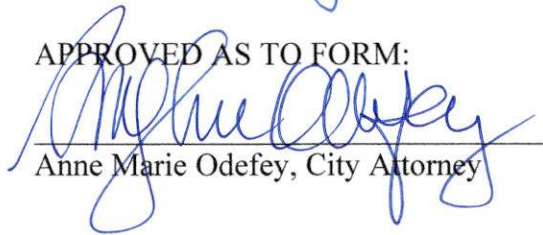
APPROVED AND ADOPTED this 8th day of December, 2025

  
\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

  
\_\_\_\_\_  
Mandy Grant, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre	Aye	Aye	Aye
Councilman Dent	Aye	Aye	Aye
Councilman Tippit	Aye	Vacancy	Vacancy
Councilwoman Padron	Aye	Aye	Aye
Councilwoman Bland-Stewart	Aye	Aye	Aye
Councilman Burke	Nay	Nay	Nay

Record of approval by City Council: City Council Minute Records, Volume 3-J, Page \_\_\_\_.

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**EXHIBIT “A”**

**Chapter 36 – SIGNS**

**Sec. 36-1. - Definitions.**

*A-frame sign.* A temporary sign, consisting of two message panels attached by a hinge or similar device along their edge, which is placed on the ground with the base of each panel separated by a sufficient distance to allow the sign to stand upright without support. For the purposes of this definition, A-frame signs include single message panels that are mounted on a wood or metal base which provides the stability and support necessary for the sign to stand upright without attachment to a structure. The maximum total sign area per side is 12 square feet (sf).

*Banner sign* means any temporary sign other than a pennant, which is made from lightweight material, which is designed to hang from a rope or wire to advertise a business, service, or special event and not mounted in a permanent rigid frame. The maximum size of a banner shall be 64 sf.

*Banner Street Sign* means a banner sign which is extended across a public street to advertise a civic or non-profit event or activity.

*Construction sign* means a sign placed by a company participating in the construction of financing on the property on which the sign is placed. The maximum size of a construction sign shall be 64 sf.

*Flag* means a type of wind device that is specifically designed for display by attaching it to the lanyard of a flagpole. This includes flags of the United States of America, any state, any city or foreign nations, historical, weather and other official flags of any institution or business. Business flags are designated as flags normally associated with a specific business such as "bait" or "antiques".

*Inflatable* means any temporary advertising device or sign that requires air or gas to be sealed or inflated to maintain shape and is used for the purpose of advertising, promotion, or attracting attention, including balloons, figures, or similar devices.

*Pennant sign* means a piece or series of similar pieces of lightweight plastic, fabric or other material, whether or not containing a message of any kind attached to a structure, rope, wire, or string, designed to move in the wind and attract attention to a business, product, service, or activity.

*Political sign* means a temporary sign that advocates for the election or defeat of a candidate or ballot measure in a local, state, or federal election. The maximum size of a political sign shall be 64 sf.

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*Realty sign* means a temporary sign used to advertise a real estate development site or to advertise that real estate is for sale, rent or lease. The maximum size of a realty sign shall be 64 sf.

*Special promotion and event sign* means a temporary sign that advertises a unique or limited duration event or campaign, such as a grand opening, seasonal sale, product launch, community fair, or similar occasion. These signs are not intended for ongoing advertising of regular business operations.

*Community Promotional Goodwill Campaign sign* means a temporary sign which promotes a positive community-oriented spirit in conjunction with a community spirit campaign and are not commercial advertising.

**Sec. 36-7. - Temporary signs.**

Unless otherwise specified, a permit shall not be required for temporary signs, provided however, such signs shall otherwise comply with all other applicable sections of Chapter 36.

- (a) Construction and Realty signs shall conform to the following:
- ~~(1) Such signs shall be located on premises no more than 30 days prior to the start of construction and removed no later than 15 days after construction is completed. Such signs shall be used only temporarily during relevant periods of development or listing. Such signs become abandoned signs upon occupancy of the premises.~~
  - (2) Signs that have an area of 32 square feet or more must be constructed and tied down to meet the wind code. Signs that have less square footage may sit on the ground and be held in place by sandbags.
  - (3) One construction sign may be used on a lot; corner lots are allowed one sign per street.
  - (4) Within primarily residential areas, such signs shall be no greater than six square feet and a maximum height of 6 feet.
  - (5) Permit not required.
- ~~(b) Realty signs shall conform to the following:~~
- ~~(1) If on a site being developed it shall be the same as subsection (a)(1) of this section.~~
  - ~~(2) If located on a property for sale or lease, the sign may remain on the premises until the new owner or renter takes possession of the property.~~
  - ~~(3) Permit not required.~~
- (e b) Political signs shall conform to the following:
- (1) Such signs shall not be placed in public rights-of-way except at polling places.
  - (2) Such signs shall be removed no later than 15 days following the election for which they are posted, except signs at polling places, which shall be removed immediately after the polling place closes.
  - (3) Such signs shall be placed a minimum of 25 feet apart.

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- (4) Signs with an effective area greater than ~~36~~ 32 square feet shall not be placed within the city limits any sooner than 60 days prior to the election and must be installed a specified in subsection (a)(2) of this section.
  - ~~(5) Such signs shall not be restricted on private real property except as permitted by V.T.C.A., Local Government Code § 216.903.~~
  - (~~6~~ 5) Permit not required.
- (~~d~~ c) Banners, flags, pennants, and inflatables shall conform to the following:
- ~~(1) Such signs shall be allowed for each calendar year.~~
  - (~~2~~ 1) Such signs shall be maintained in a neat and orderly manner and shall not be torn, tattered, ripped or faded.
  - (~~3~~ 2) Such signs hung inside a place of business shall not constitute a sign and ~~will not require a permit.~~ are not subject to the requirements of this ordinance.
  - (~~4~~ 3) Such signs and inflatables shall not encroach any public right-of-way, shall not create a sight obstruction for vehicular or pedestrian traffic and shall not be attached to any public or franchised utility pole, support wire or tree.
  - (~~5~~ 4) ~~One banner sign and o~~One inflatable may be used per ~~place of business~~ physical address; corner lots are allowed one inflatable per street.
  - (~~6~~ 5) One pennant sign may be ~~permitted~~ installed each 25 feet per lot frontage; corner lots may use the frontage of both streets.  
*Example: A lot front up to 49 feet may place one pennant sign; a 50-foot lot front may place two pennant signs, a 75-foot lot front may place three signs, etc.*
  - (~~6~~ 6) Banners, flags, pennants and inflatables must be securely installed per the manufacturer's recommendation for high-wind areas, when provided.
  - (~~7~~ 7) Banner Street signs shall be allowed only with the written permission of the City Manager or designee and proper agents from the applicable state and utility companies when affected, and must be removed no later than 30 days after the advertised events ceases. Approved location of Banner Street signs shall be based on all aspects of public safety.
  - (~~7~~ 8) Permit not required.
- (e) A-frame signs shall conform to the following:
- (1) Placement. An approved A-frame sign shall conform to the following placement standards:
    - a. Establishments with a main customer entrance directly facing a public street or sidewalk may place an a-frame type sign on the public sidewalk in front of the establishment.
    - b. The sign shall not obstruct traffic control signs or devices. Signs may not impede or hinder the vision of drivers or bicyclists. Signs may not obstruct pedestrian or ADA traffic.
  - (2) Time limit. An approved A-frame sign shall only be placed within the working business hours of the business for which the sign is identifying.
  - (3) Permit not required.

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- (f) Special promotions and event signs temporarily displayed to advertise special promotions, events, and grand openings shall conform to the following:
  - (1) Such signs shall be limited to one sign per 25 feet of street frontage;
  - (2) Such sign shall not be erected more than 30 days prior to the event and removed not more than three days after the event;
  - (3) Subject to approval by the code official as to the size, location and method of ~~erecting;~~ installation, to ensure that public safety is not jeopardized.
  - (4) Permit not required.
  
- g) Community-oriented Promotional Campaign signs:
  - (1) Community-oriented promotional campaign signs which are 6 sf or less in size may be installed on private property and kept in good condition without a permit.
  - (2) Community promotional signs greater than 6 sf in size will require a Temporary sign permit good for one-year.