

City of Castle Hills, Texas
ORDINANCE NO. 2023-10-10-C

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CASTLE HILLS, TEXAS AMENDING SECTION 34-2 OF THE CODE OF ORDINANCES TO ADD A DEFINITION OF BANDIT SIGNS AND AMENDING SECTION 34-11 OF CHAPTER 34 OF THE CODE OF ORDINANCES OF THE CITY OF CASTLE HILLS TO SPECIFICALLY PROHIBIT BANDIT SIGNS AND TO PROVIDE ENFORCEMENT PROVISIONS AGAINST A PARTY POSTING A BANDIT SIGN OR THE SERVICE OR BUSINESS ADVERTISED ON A BANDIT SIGN PLACED ON PUBLIC PROPERTY OR IN THE PUBLIC RIGHT-OF-WAY IN VIOLATION OF THIS ORDINANCE

WHEREAS, the proliferation of signs placed on utility poles or on public property or in the public right of way adversely affect the ambiance and character of the community; and

WHEREAS, the City Council believes that adding a definition of "Bandit Sign" to the definitions in Section 34-2 of the Code of Ordinances and to amend Section 34-11 of the Code of Ordinances to specifically prohibit bandit signs and to provide enforcement provisions against a party posting a bandit sign or the service or a business advertised on a bandit sign placed on public property or in the public right-of-way in violation of this ordinance; and

WHEREAS, City Council believes that it is in the best interest of the City of Castle Hills, City residents, and the owners and the operators of City businesses to amend Section 34-2 of the Code of Ordinances to define bandit signs and to amend Section 34-11 of the Code of Ordinances to modify the provisions as to enforcement of the sign Ordinance.

NOW THEREFORE, IT IS ORDAINED by the City Council of the City of Castle Hills, Texas that:

SECTION 1. Section 34-2 of the Code of Ordinances is hereby amended to add the following definition of Bandit Sign:

Bandit Sign means any sign posted on a utility pole, street sign, or other street furniture or a sign posted on public property or a public right-of-way in violation of this chapter. No sign owned or placed by the city, the State, or a public utility shall be considered a Bandit Sign.

SECTION 2. Section 34-11 of the Code of Ordinances is hereby amended to read as follows:

Sec. 34-11. Enforcement.

(a) Billboards, advertising signs, digital display signs, fabric signs, banner signs and bill posters, and signs and advertisements of all kinds hereafter erected or displayed on private property located anywhere in the city not in compliance with this chapter or placed without the permission of the owner or occupant of such property are hereby found and declared to be a public nuisance and the maintenance and display of same is hereby made a penal offence. The

City Manager or his designee is hereby directed and ordered to effect the abatement of every such nuisance now or hereafter existing within the city by physically removing or by having the same otherwise removed, except for permitted signs.

(b) Any bandit sign posted on public property or in the public right-of-way in violation of this chapter is hereby found and declared to be a public nuisance and the maintenance and display of same is hereby made a penal offense. The City Manager or his designee is hereby directed and ordered to effect the abatement of every such nuisance now or hereafter existing within the city by physically removing or by having the same otherwise removed. In addition, any citizen of the city may physically remove a bandit sign. The party posting a bandit sign or the service or business advertised on a bandit sign placed on public property or in the public right-of-way in violation of this ordinance may be cited for such violation and, upon conviction, shall be subject to a fine in accordance with subsection (d) of this section.

(c) All signs in place on August 8, 1995, which was the date Chapter 34 of the Code of Ordinances was adopted, are hereby "grandfathered" and if not in compliance herewith shall be nonconforming signs and valid as long as continued without material change, provided, however, that no sign shall be changed in any manner that increases its noncompliance with Chapter 34, as amended and provided further that the burden of establishing such sign to be nonconforming under Chapter 34 as amended, rests entirely upon the party claiming nonconforming status. When a sign is considered to be nonconforming due to height only, a sign cabinet located under the allowable height may be added or replaced provided the replacement cabinet does not cause the sign to exceed the allowable message area or otherwise cause the sign to be considered nonconforming for reasons other than height only.

(d) Any violation of this Chapter shall be punished by a fine of not less than \$50 or more than \$500 for each day the violation exists.

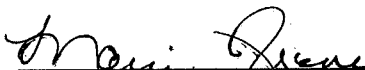
(e) In addition to the foregoing fines, the City Manager may institute civil injunctive or other proceedings to enforce the provisions of this Chapter.

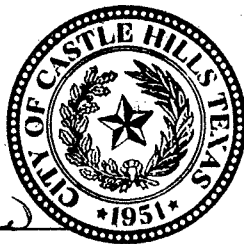
SECTION 3. This Ordinance shall be effective upon passage and adoption.

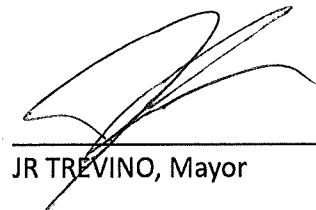
SECTION 4. The City Manager is directed to see that the caption of this Ordinance is published in the official newspaper of the City.

Passed and adopted this 10th day of October, 2023.

ATTEST:


Maria Franco, City Secretary




JR TREVINO, Mayor