

CITY OF WATAUGA, TEXAS
ORDINANCE NO. 2020-010

AN ORDINANCE AMENDING ORDINANCE NUMBER 1635 WHICH ADDRESSES VISIBILITY TRIANGLES; AMENDING CHAPTER 40, SECTION 40-4 FOR ADDRESSING VISIBILITY TRIANGLES; PROVIDING THAT ALL ORDINANCES IN CONFLICT HERewith ARE HEREBY REPEALED TO THE EXTENT THAT THEY ARE IN CONFLICT; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of Watauga, Texas recognizes the need to amend Section 40-4 of the Code of Ordinances for the City of Watauga to provide clarification regarding certain signs being allowed in visibility triangles; and

WHEREAS, City Council has determined that it is in the best interests of the City and its residents that signs which serve a governmental purpose and were authorized in furtherance of a governmental responsibility or operation be exempted from the visibility triangle prohibition.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Watauga, Texas that the following amendments be made to the Chapter 40 of the Code of Ordinances:

I.

The facts and recitations set forth in the preamble of this ordinance are hereby found to be true and correct and adopted herein for all purposes.

II.

Chapter 40, Section 40-4 of the Code of Ordinances for the City of Watauga is hereby amended as set forth in Exhibit A, which is attached hereto and incorporated herein for all purposes.

III.

This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Watauga, Texas, and this Ordinance shall not operate to repeal or affect any of such other

ordinances, except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other ordinance(s) are hereby repealed.

IV.

If any section, sub-section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

V.

This Ordinance shall become effective and shall be in full force and effect from and after the date of passage and adoption by the City Council of the City of Watauga, Texas, and upon application of law and in accordance with Sections 3.11 and 3.13 of the Charter of the City of Watauga, Texas.

9TH PASSED AND ADOPTED by the City Council of the City of Watauga, Texas on this the day of MARCH, 2020.

APPROVED:


ARTHUR L. MINER, Mayor

ATTEST:


ANDREA GARDNER, City Secretary

APPROVED AS TO FORM AND LEGALITY:


GEORGE HYDE, City Attorney

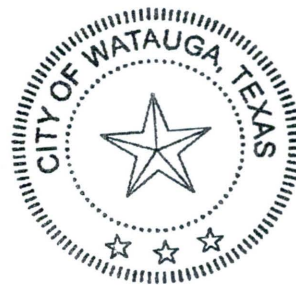
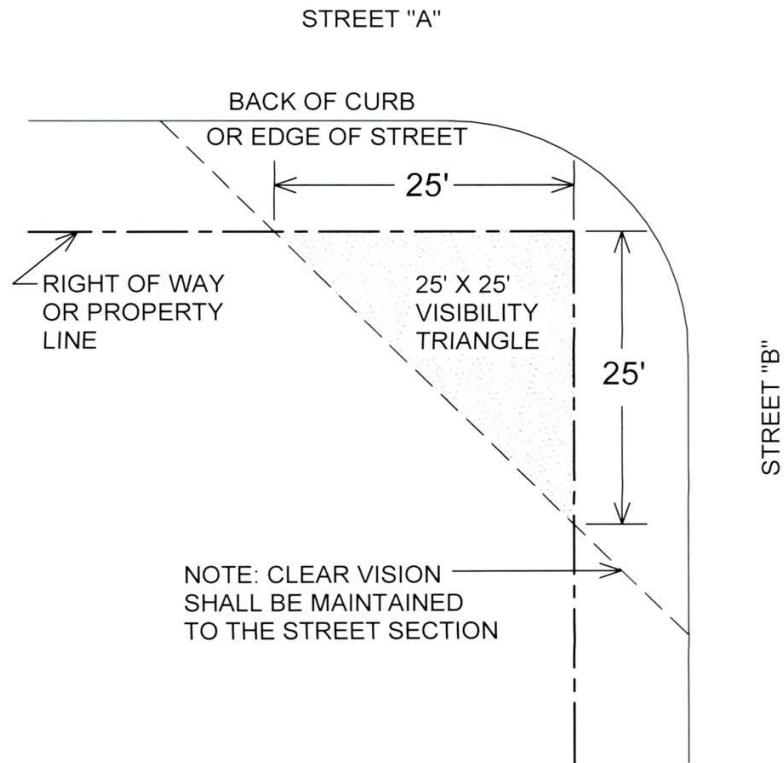


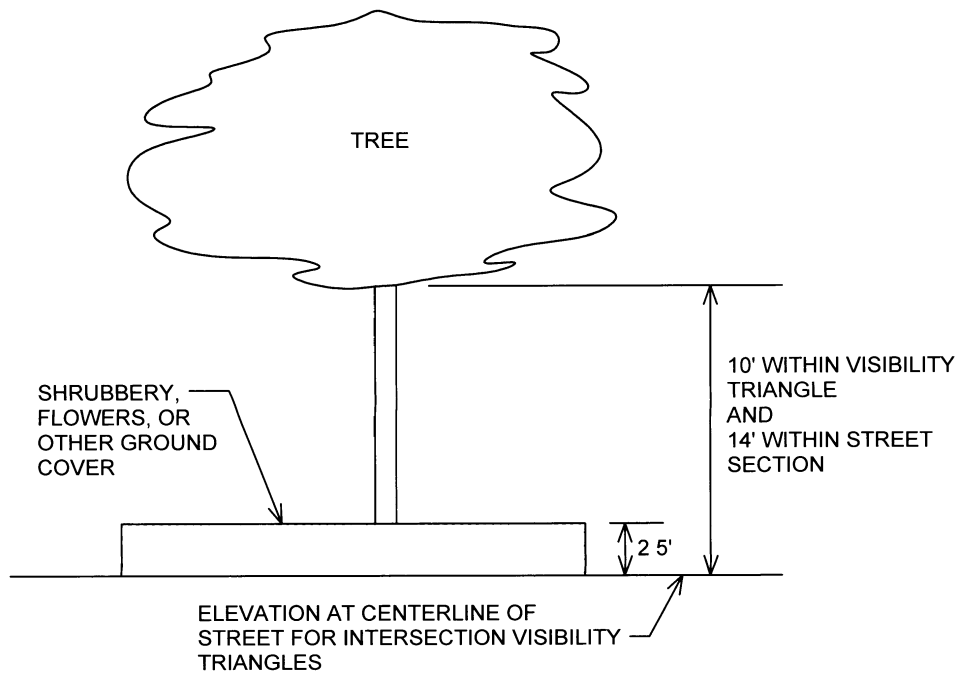
EXHIBIT A

Sec. 40-4. - Visibility triangles.

- (a) The term "intersection visibility triangle" means a triangle sight area, at all intersections, which shall include that portion of public right-of-way and any corner lot within a triangle formed by a diagonal line extending through points on the two property lines 25 feet from the street corner intersection of the property lines (or that point of intersection of the property lines extended) and intersection of the curblines, see diagrams "A" and "B."
- (b) Nothing shall be erected, placed, parked, planted, or allowed to grow in a manner as materially to impede vision between a height of two and one-half and ten feet above the centerline grades of the intersecting streets or driveways within the visibility triangle for intersections or driveways.
- (c) Landowners are prohibited from obstructing the vision in the visibility triangles. This prohibition shall not apply to permanent structures authorized by the zoning ordinance, mailboxes, traffic-control signs and signals, street signs, signs that serve a governmental purpose and were authorized to be erected by the City, County, State or Federal Government in furtherance of their governmental responsibility or operations or utility poles placed within the right-of-way area by duly authorized personnel.
- (d) In connection with shrubbery, trees, or ornamental trees already in place on private property or in the public right-of-way areas prior to the passage of this article, it shall be unlawful to maintain, or permit or cause to be maintained, any tree, shrub, or plant within any right-of-way area, including within the intersection visibility triangle, which would interfere with the vehicular traffic on any adjacent or any intersecting street, obscure the view of persons lawfully operating motor vehicles on any adjacent or intersecting streets or interfere with or obstruct the accessibility or passage by pedestrians on public sidewalks. Tree limbs or branches on trees or ornamental trees (regardless of whether such existed prior to the passage of this article) shall be no less than ten feet in height within the visibility triangle and 14 feet in height if overhanging into the street area above the street as measured from the nearest top of pavement surface or natural ground whichever is higher so as not to interfere with the free passage of vehicles, obscure the view of motor vehicle operators, interfere with or obstruct the ability to view any traffic-control device or street sign, cause or create a traffic hazard, or interfere with or obstruct the accessibility or passage of pedestrians on public sidewalks. Tree limbs or branches on trees or ornamental trees shall also be no less than eight feet in height above any portion of a sidewalk.



Intersection Visibility Triangle Section 40-4 Diagram "A"



Clear Vision Height Areas Section 40-4 Diagram "B"

([Ord. No. 1635](#), § I, 11-14-2016)

Editor's note— [Ord. No. 1635](#), § I, adopted November 14, 2016, amended § 40-4 in its entirety to read as herein set out. Former § 40-4, pertained to obstructions to visibility in right-of-way, and derived from the Code of 2001, art. 12.1200 and the Code of 2010, § 12.01.004.