

### CITY OF DOUBLE HORN

### **AGENDA**

# REGULAR MEETING CITY COUNCIL THURSDAY JANUARY 14, 2021 7:00PM

TELECONFERENCE CALL: PURSUANT TO SECTION 551.127 OF THE TEXAS GOVERNMENT CODE, AND IN CONJUNCTION WITH THE GUIDANCE AND PROVISIONS PROVIDED BY THE GOVERNOR OF TEXAS IN THE DECLARATION OF DISASTER ENACTED MARCH 13, 2020, MEMBERS OF THE CITY COUNCIL SHALL BE PARTICIPATING REMOTELY IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT, AS TEMPORARILY MODIFIED BY THE GOVERNOR, AND COUNCIL RULES OF PROCEDURE. THERE WILL BE NO PHYSICAL LOCATION FOR THE MEETING. MEMBERS OF THE PUBLIC MAY PARTICIPATE BY JOINING AT: 866-607-3969

(NO PIN REQUIRED)

Members of the public will be allowed to speak on any agenda item during citizen comments, however, enforcement to the time limit (3 MINUTES) on comments will be enforced. Citizens wishing to speak during citizen comments or on a particular agenda item need to notify the City Secretary at: <u>CITYSECRETARY@DOUBLEHORNTX.ORG</u> by 6:00 p.m. on January 11<sup>th</sup> (WEDNESDAY).

- 1. Call Meeting to Order
- 2. Rollcall to Confirm Quorum
- 3. Invocation
- 4. Pledge of Allegiance U.S. & Texas

Texas Pledge: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

- 5. Approval of Minutes 12/10/2020 Regular Council Meeting & 1/7/2021 Special Council Meeting
- 6. Citizen Comments This is an opportunity for the citizens to address the City Council concerning an issue of community interest not on the agenda. Any deliberation of an issue raised during Citizen Comments is limited to a statement of fact regarding the item; a statement concerning the policy regarding the item or a proposal to place the item on a future agenda Each citizen will be allowed 3 minutes to speak and must sign up before the meeting begins and indicate the subject the speaker wishes to address.
- 7. Regular Agenda the Council will individually discuss, consider, and possibly take action on any or all of the following items:
  - A. Treasurer's Report
    - 1) Monthly Financial Reports
    - 2) QuickBooks Setup Update

- 3) Discuss and consider action on assigned duties/roles & responsibilities
- B. Emergency Management Team Update including:
  - 1) Discuss possible date to host Featured Speaker Event: Fire Safety
- C. Zoning & Ordinance Committee Update:
  - 1) Review first draft of proposed Sign Ordinance
- D. Discuss and consider action on CAPCOG General Assembly Session update provided by Alderman John Osborne
- E. Discuss status of City Office and actions required to prepare office space and establish office hours
- F. Discuss and consider action on approving a revised TMLIRP quote
- G. Discuss and consider action on relocation of seismic monitor to city office and public access to seismic monitor via city website update to be provided by Alderman Carver
- H. Discuss January 7<sup>th</sup> session with Jill Shackelford and determine next steps
- I. Discuss and consider other matters for inclusion on the agenda for the next regular meeting of the City Council.
- 8. Close Regular Meeting
- 9. Open Executive Session.

Executive session in accordance with the Texas Government Code, Section 551.071 – Consultation with Attorney on pending litigation or on a matter in which the Attorney has a duty to the City under the Texas Disciplinary Rules of Professional Conduct that clearly conflicts with the provisions of the Open Meetings Law. The Council may require the citizens to vacate the meeting room, or teleconference line, during the executive session (alternatively a private line may be opened for executive session).

- i) Consultation with Attorney regarding Litigation: State of Texas v. Double Horn et al.
- 10. Close Executive Session
- 11. Open Regular Meeting
- 12. Consider action, if any, from Executive Session
- 13. Adjournment

The Council may go into closed session at any time to discuss an item on the agenda when permitted by Chapters 418 or 551, Texas Government Code, or Section 321.3022 of the Texas Tax Code. Before going into closed session, a quorum of the Council must be assembled in the meeting room, the meeting must be convened as an open meeting pursuant to proper notice, and the presiding officer must announce that a closed session will be held and must identify the sections of Chapter 551 or 418, Texas Government Code, or Section 321.3022 of the Texas Tax Code authorizing the closed session

I certify that the above notice of meeting was posted at 7901 CR 404, Spicewood, Texas on the 11th day of January 2021 by 7PM.

Cathy Sereno, Mayor

# DECEMBER FINANCIAL AGENDA PACKET CITY OF DOUBLE HORN REGULAR MEETING of CITY COUNCIL 1/14/2021



				Cit	y of Do	City of Double Horn	orn								
			<b>Budget vs</b>		s: City	Actuals: City of Double Horn	ble Ho		- FY2021						
					er 2020 -	October 2020 - September 2021	r 2021								
	Oct 2020	Nov 2020	Dec 2020	Jan 2021	Feb 2021	Mar 2021	Apr 2021 May 2021	May 2021	Jun-21	$\overline{}$	Jul 2021 Aug 2021	Sep 2021		Total	
	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Actual	Budget	% of Budget
Income															
1020 Ad Valorem Taxes		4,063.73	16,889.57	17,730.38									38,683.68	66,307.61	58.34%
1030 Donations General			20.00										20.00	0.00	
1070 Permits and Fees			1,000.00										1,000.00	1,000.00	100.00%
Total Income	\$ 0.00	\$ 4,063.73	\$ 17,909.57	\$ 17,730.38	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	0:00 \$	\$ 0.00	\$ 0.00	\$ 39,703.68	\$ 67,307.61	58.99%
Gross Profit	\$ 0.00	\$ 4,063.73	\$ 17,909.57	\$ 17,730.38	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00	00.00	00'0 \$	\$ 0.00	\$ 39,703.68	\$ 67,307.61	58.99%
Expenses															
1110 Salaries & Wages	557.28	864.95	1,590.57	325.08									3,337.88	13,000.00	25.68%
1120 Training and Travel													00.0	500.00	0.00%
1125 Rent or Lease of Buildings			800.00	800.00									1,600.00	9,600.00	16.67%
1130 Utilities			425.00										425.00	1,200.00	35.42%
1135 Internet													00.00	1,200.00	0.00%
1140 Computer Equipment													0.00	500.00	0.00%
1160 Phone Expense	25.07	25.07	25.07										75.21	350.00	21.49%
1170 Website Expense			21.17										21.17	250.00	8.47%
1180 Email Expenses		429.74											429.74	550.00	83.59%
1190 Accounting	119.00	70,00											189.00	5,450.00	3.47%
1220 Legal & Professional Fees	2,214.00	4,500.00	2,562.00			•							9,276.00	25,272.61	36.70%
1240 Tax Collection Fees	274.06	268.73				268.73			268.73			268.73	1,348.98	1,200.00	112.42%
1250 Election Fees											,		00'0	75.00	0.00%
1260 Legal Posting	228.00												228.00	1,500.00	15.20%
1270 Insurance - TML		1,035.86				****							1,035.86	00'066	104.63%
1275 Workmans Comp Insurance	102.90												102.90	300.00	34.30%
1280 Membership Fees	50.00												20.00	650.00	7.69%
1420 Software				,									00'0	350.00	0.00%
1655 Municipal Court Costs													0.00	200.00	0.00%
1660 Consulting Services													0.00	700.00	0.00%
6045 Bank fees	-19.95	00:0	0.16	-0.16									-19.95	00.0	
6055 Code Enforcement													00'0	950.00	0.00%
6235 Rent/Meeting Expenses	35.00	35.00	35.00	35.00									140.00	720.00	19.44%
6345 Office Equipment and Maintenance													0.00	750.00	0.00%
6355 Supplies - office	0.00												0.00	750.00	0.00%
6375 Taxes - payroll	364.02	89.52	156.54	24.86									634.94	0.00	
Total Expenses	\$ 3,949.38		ŀ	\$ 1,184.78	\$ 0.00	\$ 268.73	\$ 0.00	\$ 0.00		\$	43	₩.		\$ 67,307.61	28.09%
Net Operating Income	-\$ 3,949.38	-\$ 3,285.14	\$ 12,294.06	\$ 16,545.60	\$ 0.00	-\$ 268.73	\$ 0.00	\$ 0.00	-\$268.73	00.00	\$ 0.00	-\$ 268.73	\$ 20,798.95	\$ 0.00	

# To DOUBLE TO THE SECOND OF THE

## City of Double Horn

### **BALANCE SHEET**

As of December 31, 2020

	TOTAL
ASSETS	
Current Assets	
Bank Accounts	
1000 Operating	11,671.73
1005 Property Tax	20,953.30
1010 Reserve Account	6,020.73
Total Bank Accounts	\$38,645.76
Total Current Assets	<b>\$38,645.7</b> 6
TOTAL ASSETS	\$38,645.76
LIABILITIES AND EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2100 Accounts payable	26,716.57
Total Accounts Payable	<b>\$26,716.57</b>
Credit Cards	
2300 First United Bank Credit Card	56.17
Total Credit Cards	<b>\$56.17</b>
Other Current Liabilities	
2160 Payroll tax payable	375.70
2170 SUTA payable	243.00
Payroll Liabilities	
Federal Taxes (941/944)	492.94
Total Payroll Liabilities	492.94
Total Other Current Liabilities	\$1,111.64
Total Current Liabilities	\$27,884.38
Total Liabilities	\$27,884.38
Equity	\$10,761.38
TOTAL LIABILITIES AND EQUITY	\$38,645.76

### Note

### Notes

- 1) Property Tax Revenue is not setup as a receivable (different from last year's format).
- 2) Payroll Tax calculation and electronic payment now setup. Prior months calculations currently being audited by Accountant . To be finalized by end of January.
- 3) First United Credit Card account is now linked to QuickBooks account. Charges will appear as soon as they are posted by First United.

City of	City of Double Horn Legal Expense & Paymer	Expense 8		it Summary FY2020 - 2021	2021			12/30/2020
			Invoice	Payment	Payment			Paid from
Invoice #	Date		Amount	Recipient	Amount	Balance	Check #	Account
AKERS & AKERS	YKERS							
4730	4/19/2019	45	16,622.50		₩.	16,622.50		
4763	5/17/2019	❖	1,826.93		φ.	18,449.43		
	6/3/2019		Akers	Akers & Akers LLP \$	(10,000.00) \$	8,449.43	1002	Operating Account
4799	6/19/2019	₩	2,251.60		φ.	10,701.03		
	7/17/2019		Akers	Akers & Akers LLP \$	(2,000.00) \$	8,701.03	1004	Operating Account
	8/4/2019	Φ.	531.22		❖	9,232.25		
	9/19/2019		Akers	Akers & Akers LLP \$	\$ (2,000.00) \$	7,232.25	1001	Legal Defense
	10/22/2019		Akers	Akers & Akers LLP \$	(7,232.25)		1008	Operating Account
	Total Akers & Akers	<b>₩</b>	21,232.25	s,	(21,232.25)	<b></b>	Remaining Balance	
								Paid in Full

MESSER	MESSER, FORT, McDONALD									
10107	7/6/2019	↔	14,330.20	Messer, Fort, McDonald		₩	14,330.20			
10290	9/5/2019	❖	11,113.23	Messer, Fort, McDonald		₩	25,443.43			
10526	10/7/2019	❖	6,660.80	Messer, Fort, McDonald		❖	32,104.23			
	10/22/2019			Messer, Fort, McDonald	❖	(2,767.75) \$	29,336.48	1009	Operating Account	
10677	11/11/2019	❖	7,531.40	Messer, Fort, McDonald		₩	36,867.88			
10889	12/10/2019	❖	1,818.00	Messer, Fort, McDonald		❖	38,685.88			
11158	1/16/2020	❖	4,513.63	Messer, Fort, McDonald		❖	43,199.51			
	1/17/2020			Messer, Fort, McDonald	<b>₹</b>	\$ (00.000(5)	38,199.51	1018	Operating Account	
11253	2/7/2020	÷	8,362.99	Messer, Fort, McDonald		❖	46,562.50			
	3/4/2020			Messer, Fort, McDonald	\$	\$ (00.000,5)	41,562.50	2001	Operating Account	
11381	3/5/2020	❖	1,068.00	Messer, Fort, McDonald		❖	42,630.50			
11558	4/2/2020	∽	282.00	Messer, Fort, McDonald		₩	42,912.50			
11780	5/5/2020	❖	84.00	Messer, Fort, McDonald		₩	42,996.50			
	6/1/2020			Messer, Fort, McDonald	\$	\$ (00.000(5)	37,996.50	2012	Operating Account	
11940	6/2/2020	❖	5,388.00	Messer, Fort, McDonald		❖	43,384.50			
	6/12/2020			Messer, Fort, McDonald	<b>.</b>	(5,002.00) \$	38,382.50	2014	Operating Account	
12148	7/9/2020	\$	2,796.00	Messer, Fort, McDonald		❖	41,178.50			
12363	8/11/2020	s	3,402.00	Messer, Fort, McDonald		₩	44,580.50			
	8/24/2020			Messer, Fort, McDonald	<b>ئ</b>	\$ (00.000,01)	34,580.50	2025	Operating Account	
12562	9/10/2020	❖	2,835.00	Messer, Fort, McDonald		₩	37,415.50			
	9/11/2020			Messer, Fort, McDonald	<b>ب</b>	(10,000.00) \$	27,415.50	2028	Operating Account	
12771	10/6/2020	❖	2,214.00	Messer, Fort, McDonald		↔	29,629.50			
	10/12/2020			Messer, Fort, McDonald	<b>ب</b>	\$ (00.000'5)	24,629.50	2037	Operating Account	
12935	11/6/2020	❖	4,500.00	Messer, Fort, McDonald		❖	29,129.50			
	11/13/2020			Messer, Fort, McDonald	\$	\$ (00.000'5)	24,129.50	2044	Operating Account	
13114	12/8/2020	ᡐ	2,562.00	Messer, Fort, McDonald		₩	26,691.50			
		❖	79,461.25		\$	(52,769.75)		Remainin	Remaining Balance	\$ 26,691.50
	ALL LECAL EVACABLE									

### ARTICLE 3.06 SIGNS<sup>\*</sup>

### Sec. 3.06.001 Purpose

This article provides uniform standards for the erection and maintenance of signs. All signs not exempted as provided in this article shall be erected and maintained in accordance with these standards. The general objectives of these standards are to inform and to promote the health, safety, welfare, convenience | KM1| and enjoyment of the public as follows:

- (1) Safety. To promote the safety of persons and property by providing that signs do not:
  - (A) Create a hazard due to collapse, fire, decay or abandonment;
  - (B) Obstruct firefighting or police observation ability;
  - (C) Create traffic hazards by confusing or distracting pedestrians or motorists; or
- (D) Become obstacles that hinder the ability of pedestrians or motorists to read traffic signs.
- (2) <u>Communications efficiency</u>. To promote the efficient transfer of information in sign messages provided that:
  - (A) Those signs which provide public safety messages and information are given priorities;
  - (B) Businesses and services can identify themselves;
  - (C) Customers and other persons can locate a business or service;
  - (D) No person or group is arbitrarily denied the use of the sight lines from the public rights-of-way for communication purposes;
  - (E) Persons exposed to signs are not overwhelmed by the number of messages presented and are able to exercise freedom of choice to observe or ignore such messages, according to the observer's purpose; and
  - (F) The right of free speech is preserved and exercised through the use of signs.
- (3) <u>Landscape quality and preservation</u>. To protect the public welfare and to enhance the appearance and economic value of the landscape, by providing that signs:
  - (A) Do not interfere with scenic views;
  - (B) Do not create a nuisance to persons using the public rights-of-way;
  - (C) Do not create a nuisance to occupants of adjacent and contiguous property by their brightness, size, height, or movement;
  - (D) Are not detrimental to land or property values;
  - (E) Do not contribute to visual blight or clutter; and
  - (F) Are architecturally compatible and harmonious with the structure or tract of land to which they pertain and to neighboring structures, as well as the City at large.

### Sec. 3.06.002 Jurisdiction

The provisions of this section shall apply within the City limits and within the extraterritorial jurisdiction (ETJ) of the City as defined by the Texas Local Government Code, chapters 6, 22, and 42, and pursuant to the express authority and limitations provided in chapter 216. For the purposes of

these sign regulations, all signs erected within the ETJ of the City shall be erected in accordance with the standards imposed for property inside the City limits.

### Sec. 3.06.003 Compliance required

It shall be unlawful for any person to violate the provisions of this article.

### Sec. 3.06.004 Enforcement

- (a) <u>Civil and criminal penalties</u>. The City shall have the power to administer and enforce the provisions of this article as may be required by governing law. Any person violating any provision of this article is subject to suit for injunctive relief as well as prosecution for criminal violations. Any violation of this article is hereby declared to be a nuisance.
- (b) <u>Criminal prosecution</u>. Any person violating any provision of this article shall, upon conviction, be fined a sum not exceeding five hundred dollars (\$500.00). Each day that a provision of this article is violated shall constitute a separate offense. An offense under this article is a misdemeanor.
- (c) <u>Civil remedies</u>. Nothing in this article shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this article and to seek remedies as allowed by law, including, but not limited to the following:
- (1) Injunctive relief to prevent specific conduct that violates this article or to require specific conduct that is necessary for compliance with this article, including removal of signs that violate this article at the expense of the sign owner;
- (2) A civil penalty up to one thousand dollars (\$1,000.00) a day when it is shown that the defendant was actually notified of the provisions of this article and after receiving notice committed acts in violation of this article or failed to take action necessary for compliance with this article; and
  - (3) Other available relief.

### (d) Other enforcement.

- (1) The City may remove any sign not in compliance with this article at the sign owner's expense.
- (2) The appropriate subdivision's architectural committee, a subdivision's Property Owners' Association (POA) or the owner of any lot or land in the City may notify the Code Enforcement Officer of a violation of this ordinance.

### Sec. 3.06.005 Definitions

Words and phrases used in this article shall have the meanings set forth in this section. Words and phrases that are not defined in this article but are defined in other ordinances of the City shall be given the meanings set forth in those ordinances. Other words and phrases shall be given their common, ordinary meaning unless the context clearly requires otherwise. Headings and captions are for reference purposes only and shall not be used in the interpretation of this article.

<u>Advertising</u>. The act of calling something to the attention and notice of the public or selected members of the public, for commercial, entertainment, or any other communication purpose except the giving of directions or similar guidance.

<u>Advertising devices</u>. Banners or streamers affixed to poles, wires, or ropes, wind operated devices, flashing lights, and other similar contrivances.

<u>Backlighted (silhouette/halo) illuminated channel letters sign</u>. A sign that is backlit and has darker colors to reflect the illuminating light back against the wall instead of through the letters. Lighting may be of any type, including LED lighting.

<u>Banner</u>. A sign, intended to be hung without frames, made of paper, plastic, or fabric of any kind, which may possess colors, characters, letters, illustrations, or ornamentations. Flags of governmental jurisdictions and flags carrying the emblem of a business or institution are not to be considered a banner for the purpose of this article.

<u>Billboard</u>. A sign that is designed for changeable copy, so the characters, letters or illustrations can be changed or rearranged within a fixed sign face which advertises a business, organization, event, person, place or thing whether located or not on the same site (or property) as the billboard.

<u>Building official</u>. The building official of the City or his agent [What are the duties/ responsibilities?] <u>Community service amenities</u>. Any amenities provided by a nonprofit community use, social institution or public use.

<u>Curb line</u>. An imaginary line drawn along the outermost part or back of the curb and gutter on either side of a public street, or, if there is no curb and gutter, along the outermost portion of the paved roadway, or if there is no paved roadway, along the outermost edge of the traveled portion of the roadway.

<u>Entrance</u>. A point or place intended for entry by vehicles or pedestrians into a subdivision, distinct portion of a subdivision park, golf course, amenity, parking lot, shopping area, or similar discreet area within the City.

<u>Erect</u>. To build, construct, attach, hang, place, suspend, or affix, and shall also include the painting of signs.

Facade. Any separate face of a building which encloses or covers usable space.

<u>Face, facing or surface</u>. The surface of the sign, excluding structural trim or supports, upon, against, or through which the message is displayed or illustrated on the sign.

<u>Freestanding service facility</u>. Automatic bank teller machine, film photo finishing outlet or other similar facility located in a freestanding structure devoted solely to such use or as an accessory to one or more principal buildings.

<u>Height</u>. The vertical distance between the highest part of the sign or its supporting structure or any attached component, whichever is higher, and the established ground level beneath the sign at the nearest natural or finished grade, unless curb elevation is higher than the ground level, in which case the height shall be measured from curb level.

<u>Incombustible material</u>. Any material which will not ignite at or below a temperature of 1,200 degrees Fahrenheit and will not continue to burn or glow at that temperature.

<u>Integrated business</u>. A commercial business in which more than one business owner operates and which meets one or more of the following criteria:

- (1) Each business owner owns shares of stock or partnership interest in a corporation that owns the grounds and building(s);
- (2) Each business owner owns his own space under an undivided interest arrangement or a condominium arrangement;
- (3) Each business owner rents/leases his own space within the same building; or

(4) Each business owner is a member of a merchants association which contributes to the joint promotional efforts of the center.

<u>Internally illuminated canopy pan (can) face sign</u>. A plastic sign face molded into a three-dimensional shape with internal lighting aimed at the sign face. Internal illumination is primarily by fluorescent lights. Replacement of lighting is allowed as maintenance for these signs.

<u>Model house</u>. A dwelling built first by a developer or builder to allow potential purchasers to see what one or more of the finished houses will look like before all of the homes in the development are completed. For a house to qualify as a model house, the house must be furnished with all utilities connected.

<u>Nonconforming sign</u>. A sign that does not conform to current regulations of this or other City ordinances regardless of whether it violated any ordinance at the time it was erected.

Other advertising structure. Any marquee, canopy or awning, as further defined in this article.

<u>Party responsible</u>. The person whose name or business is being advertised on the sign and the owner of the property, as well as any person responsible for management of the property upon which the sign is located.

<u>Permittee</u>. A person receiving a permit pursuant to the provisions of this article.

<u>Person</u>. Any individual, firm, partnership, association, corporation, company or organization of any kind.

<u>Private real property</u>. Any real property which is not subject to an easement or other encumbrance that allows the City or other political subdivision to use the property for a public purpose.

<u>Professional name plate (shingle sign</u>). A sign denoting only the name, occupation and address of an occupant in a commercial, public, or institutional building.

<u>Setback clearance zone</u>. That area enclosed by drawing an imaginary line connecting two points located within fifteen (15) feet of the curb line of any corner of a street intersection, street/driveway intersection, or street/alley intersection.

<u>Sign</u>. An outdoor structure, display, light device, painting, drawing, message, plaque, poster, billboard, writing, pictorial representation, illustration, emblem, symbol, design or other item that is designed, intended or used to advertise or inform. As used in this article, the term specifically includes any letters, figures, symbols, trademarks, or devices designed to inform people or attract the attention of persons to an individual, firm, profession, business, commodity or service, and which is recognizable from any public right-of-way, including any structure or a part thereof, or which is attached to or in any manner represented on a building or other structure, and is placed outside in view of the general public and is used for purposes of advertisement, identification, or expression.

Sign, A-frame. See definition of "unattached sign."

<u>Sign, agricultural</u>. A sign identifying the farm or ranch on which it is placed and advertising the produce, crops, animals or poultry raised or kept thereon.

<u>Sign, area</u>. The largest area of the sign visible at any one time from any one point enclosed by a single continuous perimeter including any framing or trim enclosing a message, but not including any structural parts lying outside the limits of such sign which does not form an integral part of the message display. The sign area shall be measured on only one side of a double-faced sign provided that the two faces are parallel to each other and provided that the faces are the same size and

share a common structural support. In cases where the sign, or portion thereof, is composed only of letters, figures, or other characters independently secured to a monolith or not standing against a sign face background, then the sign face area shall be the sum of the area of an imaginary figure (circle, triangle, rectangle, or other) which fully contains all words, figures, devices, designs, or trademarks which constitute the sign.

<u>Sign, awning</u>. An on-premise sign that is mounted or painted on or attached to an awning, canopy or marquee such that the sign does not project above, below or beyond the physical dimensions of the awning, canopy, or marquee.

<u>Sign, bandit</u>. A sign made of any material when such sign is tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, or other objects, and the advertising matter appearing thereon is not applicable to the use of the premises upon which such sign is located.

<u>Sign, bench</u>. Any sign attached to, painted on, or otherwise located upon or made a part of community service amenities including, but not limited to, benches, trash containers, shuttle stops, shelters and fences.

<u>Sign, canopy</u>. An on-premises sign that is mounted or painted on or attached to an awning, canopy or marquee that extends over a public right-of-way that is attached to or is an extension of a building such that the sign does not project above, below or beyond the physical dimensions of the awning, canopy, or marquee. Canopy sign definition shall include signage associated with gasoline service stations and shall be limited to gas price, name and company identification.

<u>Sign, commercial project</u>. A permanent on-premises sign, attached or detached, indicating information such as logo, name of building, name or type of business(es) and address of the project.

<u>Sign, community service (public service)</u>. A sign which solicits support for or advertises a nonprofit community use, social institution, or public use. Such signs may include, but shall not be limited to, school activities, charitable programs, religious activities, or location of places or events of community interest.

<u>Sign, construction control</u>. Temporary signs placed on a new construction site providing notice of construction activities as may be necessary for the safety of workers and visitors to the site and as may otherwise be required by insurance carriers, OSHA or other governmental authorities.

<u>Sign, construction identification</u>. A temporary sign placed on a new construction site identifying the project, and/or identifying the property owner, architect, contractor, developer, engineer, landscape architect, decorator or mortgagee engaged in the design, construction or improvement of the premises on which the sign is located and may include other information regarding the project.

<u>Sign, community service (public service</u>). A sign which solicits support for or advertises a nonprofit community use, social institution, or public use. Such signs may include, but shall not be limited to, school activities, charitable programs, religious activities, or location of places or events of community or tourist interest and may include business advertising provided that the same shall constitute not more than 25% of the sign.

<u>Sign, damaged</u>. A sign, which is unsafe, unsecured, disfigured, or broken.

<u>Sign, directional</u>. A sign that is freestanding, the primary purpose of which is to direct a person to any specific location in the City or within its subdivisions. Advertising is not allowed on any directional sign.

<u>Sign, double faced (back to back)</u>. An advertising structure with two closely located signs with faces in opposing directions, with less than a 15 degree angle between the sign faces. Any structure with more than a 15 degree angle between sign faces will constitute two signs. [Not clear what this definition means – 15 degree angle measured where?]

<u>Sign, electronic light emitting diode (LED)</u>. An electronic sign that uses light emitting diodes to display an image, which can look much like a television screen.

<u>Sign, fence</u>. A sign that is affixed to or painted on any fence and which uses a component of the fence as its means of support or background. See also the definition of a wall fence. A fence sign may be considered a wall sign even if it has more than one surface for display/advertising.

<u>Sign, flashing</u>. A sign, the direct or indirect illumination of which is not constant in intensity when in use, but not including illuminated signs that indicate the date, time or temperature, or other public service information, shall be considered a flashing sign.

i Sign, freestanding service facilities. Signs that advertise freestanding service facilite. [Examples?]

<u>Sign, governmental</u>. A sign indicating a public works project, or other program or activity conducted or required by any governmental subdivision. This is also considered a community service sign.

<u>Sign, ground</u>. A sign which is secured to the ground, and which is not affixed to a building. Secured is defined in the definition of "unattached signs."

<u>Sign, illuminated</u>. Any sign which has characters, letters, figures, designs or outlines illuminated in any manner by an artificial light source of any kind, either detached from the sign or a part thereof. Signs that are only incidentally and indirectly illuminated as a result of a lighting plan primarily designed as security lighting or landscape lighting are not illuminated signs.

<u>Sign, integral</u>. A memorial sign or tablet, name of a building, or date of erection when cut into any masonry surface or when constructed of bronze or other incombustible material mounted on the face of a building.

<u>Sign, marquee</u>. A sign hung from or affixed to a marquee. it shall be synonymous with a canopy sign.

<u>Sign, monument</u>. A permanent ground sign independent of the principal building or structure on the property generally cast out of stone, brick or cast concrete material supported on a concrete foundation across the entire base of the structure.

Sign, moving. Any sign which moves or has moving parts.

<u>Sign, off-premises</u>. A sign, including a billboard, displaying advertising copy that pertains to a business, person, organization, activity, event, place, service, or product not principally located or primarily produced, manufactured or sold on the premises on which the sign is located. The term also includes a sign that does not refer exclusively to the name, location, persons, accommodations, sale, lease, construction, or activities of or on the premises where it is erected. The premises of a shopping center include the outparcels.

<u>Sign, on-premises</u>. A freestanding sign identifying or advertising a business, person, or activity, and installed and maintained on the same premises as the business, person, or activity.

<u>Sign, open house</u>. A temporary portable sign on a property offered for sale, lease or rent identifying that the home is available for public viewing, and may contain a directional arrow.

<u>Sign, portable</u>. A transportable sign of durable construction on wheels, skids, legs, or framing including trailers and searchlights, the principal intent of which is for advertising or promotional purposes, and which is not designed nor intended to be permanently affixed to a building, other structure or the ground. A portable sign that has its wheels removed shall still be considered a portable sign. Also see definition of "unattached sign."

<u>Sign, project identification</u>. A permanent detached on-premise sign for single and multifamily housing projects or residential subdivisions indicating information such as the name and address of the project.

<u>Sign, projecting</u>. A sign, other than a wall sign, which is affixed to any building or wall, and whose leading edge extends more than two (2) feet beyond such building or wall. A canopy or marquee sign is not defined as a projecting sign.

<u>Sign, property identification</u>. A sign that displays the address of the residence, building, business, lot, or other property on which it is located and which serves no other purpose than to inform the public of the identity, location, or address of that property.

<u>Sign, realty</u>. A sign which is used to offer real property for sale, lease, or rent.

<u>Sign, roof.</u> A sign that is mounted on, and is wholly supported by the roof of a building and does not extend beyond the wall line.

Sign, sandwich. See definition of "unattached sign."

<u>Sign, temporary</u>. Any sign that is used temporarily and is not permanently mounted, constructed of cardboard, cloth, canvas, paper, plastic, fabric of any kind, plywood, wood, or similar lightweight material, or metal, which may possess colors, characters, letters, illustrations, or ornamentations. A portable sign is not a temporary sign.

<u>Sign, temporary monument tenant space available sign</u>. A temporary sign in a tenant space on a monument sign stating that the space is available and providing a contact phone number.

<u>Sign, unattached.</u> A sign which is carried, wheeled, or moved about without having to detach the sign from a secure anchoring device which is set in the ground or to a building which is set on an approved foundation, or a sign which is not secured in a manner approved by the building official and designed to withstand wind pressures as specified in the currently adopted International Residential Code, or the currently adopted edition of the international code regulating and governing all buildings or structures not governed by the residential code, as applicable. Such signs are considered to be unattached if they can reasonably be expected to be blown out or about in high winds or may cause injuries to pedestrians and traffic hazards. Said signs include portable signs, "a- frame" signs, and sandwich signs. The following signs are not included in this definition: individual contractor signs, political signs which are six (6) square feet in area or less, signs intended for temporary use for safety reasons due to construction, dangers, or traffic control, and governmental or community service signs which are to inform the public.

<u>Sign, wall.</u> A sign that is affixed to, or painted on, the facade of a building and erected parallel or approximately parallel to the face of, or erected and confined within the limits of, the outside wall of any building and supported by such wall or building and which displays only one surface for display/advertising such that the wall forms the background surface of the sign and which does not project more than eighteen (18) inches perpendicular to the wall. A fence sign shall be considered a wall sign.

<u>Structural trim</u>. The molding, battens, capping, nailing strips, lattice, and platforms which are

attached to the sign structure.

### Sec. 3.06.006 Permit required

- (a) No person shall erect, construct, alter, repair, or relocate a sign without first obtaining a permit from the building department of the City. The signs described in <u>section 3.06.017</u> shall be an exception to the requirement.
- (b) Each application for a sign permit shall be accompanied by a "sign package" identifying all anticipated signage on the property, including the overall sign design philosophy, the interrelationship of styles, as well as all shapes, sizes, illuminations and materials intended to be used in the signage displays. All sign package elements shall be developed in the spirit of the appropriate subdivision's architectural committee's guidelines and policies. Applications for a sign permit must be made on a form provided by the Citykm2 and shall contain and have attached at least the following information:
  - (1) Name, address and telephone number of the applicant.
  - (2) Name and firm of person erecting sign.
  - (3) If applicant is not the owner of real property where sign is proposed to be erected, written consent of the property owner.
  - (4) Location of building, structure, address or legal lot and block to which or upon which the sign is to be attached or erected.
  - (5) A site plan indicating position of the proposed sign and other existing advertising structures in relation to nearby buildings or structures, north arrow, and scale of drawing, property lines, curb lines, adjacent streets, alleys, curb cuts, and setbacks.
  - (6) Copy of stress diagrams or plans, when needed, containing information as to safety and structural integrity of the signs. A Professional Engineer registered in the State of Texas shall sign and seal any drawings. Note that the City assumes no liability for safety and structural integrity.
- (7) Indicate whether the sign will require electricity.
  - (8) Copy of permit approved by state department of transportation, state transportation commission, or successor agencies if state law requires a state permit.
  - (9) Written approval of the architectural committee, declarant or amenity owner (as required by the applicable declaration of reservations and/or covenants, conditions and restrictions) of the appropriate subdivision.
  - (10) Such other information as the City requests to show full compliance with this article and all other standards of the City.

### Sec. 3.06.007 Permit issuance

Consideration, evaluation, and approval or denial of applications for sign permits will be performed by the Building Official. Upon the filing of an administratively complete (KM3) application for a permit, the development services manager shall:

- (1) Examine the plans and specifications and the premises upon which the proposed sign shall be erected as needed;
- (2) Interface with the appropriate subdivision's architectural committee, declarant or amenity

owner, if required;

ı

- (3) Issue a permit if the proposed sign and sign structure complies with the requirements of this article and all other standards of the City;
- (4) Declare the sign permit to be null and void if the work authorized under a sign permit is not completed within six (6) months after the date of issuance; and
- (5) Not issue a permit if the proposed sign or sign structure does not comply with the requirements of this article and all other standards of the City. Such decision will be made within thirty (30) days of receipt of a complete application. Such decision can be appealed to the City Council.

### Sec. 3.06.008 Permit fee

Every applicant, prior to issuance of a permit, shall pay the City a nonrefundable fee in an amount determined by current sign permit rates.

### Sec. 3.06.009 Variances

- (a) Within thirty (30) days after denial of a sign permit by the development services manager, a written request for a variance may be filed with the City to appear before the City Council. The City Council may grant a variance upon affirmative written findings as to the following elements:
  - (1) The unusual shape or topography of the property in question or some other significant factor prevents signage allowable under the provisions of this article from adequately identifying the business or other activity located on the subject property;
  - (2) The variance is not contrary to the public interest;
  - (3) Due to special conditions, a literal enforcement of this article would result in unnecessary hardship. Ordinarily, hardship that is self-induced or that is common to other similarly classified properties will not satisfy this requirement. Financial or economic hardship alone will not ordinarily satisfy this requirement; and
  - (4) The spirit and purpose of this article will be observed and the design guidelines set forth in this article are substantially met and substantial justice will be done.
- (b) The City may impose such conditions or requirements in a variance as are necessary in the City's judgment to protect the overall character of the community and to achieve the fundamental purposes of this article.

### Sec. 3.06.010 Revocation of permit

The City may revoke any permit where there has been a violation of the provisions of this article or a misrepresentation of facts on the permit application.

### Sec. 3.06.011 Number, date and voltage

Every permitted sign or other advertising structure must display in a conspicuous place the date of erection, the permit number and the voltage of any electrical apparatus used. [on the sign itself or support structure?]

### Sec. 3.06.012 Changes

After a sign permit has been issued by the development services manager, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms and conditions of said sign permit without prior approval by the Development Services Manager.

### Sec. 3.06.013 Removal of signs in violation

Whenever the ,code enforcement officer, or any police officer finds a sign that was erected after the effective date of this article and which was erected, constructed, altered, repaired, or relocated in violation hereof, the official or officer shall require the party responsible for such sign to remove same. If the party responsible fails to remove said sign within five (5) days after being notified to do so, or if it appears to the official or officer [officer vs official terminology?]that the illegal sign placement poses an immediate danger to the public, then such sign may be removed by the City at the expense of the party responsible. Any sign so removed shall be stored or impounded and shall not be returned to the party responsible until all applicable charges are paid. If any sign remains unclaimed for a period of thirty (30) days after its removal, or if the removal and storage costs are not paid within the thirty-day period, the City may destroy, sell, or otherwise dispose of the sign.

### Sec. 3.06.014 Illumination of signs

- (a) Backlighted (silhouette/halo) illuminated channel letter signs are allowed on commercial buildings except where illuminated canopy pan (can) face signs are allowed.
- (b) Illuminated canopy pan (can) face signs are allowed on Highway 71 and also are allowed in other commercial areas of the City, except where backlighted (silhouette/halo) illuminated channel letter signs are allowed. Section 3.06.017(7) applies to these signs.
- (c) No sign shall have exposed electrical wires. All electrical service to a sign shall be in compliance with the latest adopted edition of the National Electrical Code and any other City code sections related to the regulation of electricity. An electrical permit shall be required for first-time electrical connections to signs. Illumination and illuminated signs shall not interfere with the normal enjoyment of residential uses in adjacent residential districts.
- (d) Externally lit signs are permitted to be illuminated only with steady, stationary, down-directed light and with a full cut-off, directed [KM4] only onto the sign. The area, brilliance, character, color, degree, density, intensity, location and type of illumination shall be the minimum necessary for the intended purpose of such illumination, consistent with the applicable requirements of the outdoor lighting ordinance.
- (e) Internally illuminated signs, including backlit signs are permitted to be illuminated only with a steady and stationary light source. Signs shall be illuminated internally with white light. Signs that are illuminated from the inside shall have opaque backgrounds so only the lettering and logos are illuminated.
- (f) Monument signs may have ground-mounted lighting, which must meet the requirements of the outdoor lighting ordinance.

### Sec. 3.06.015 Maintenance of signs and replacement of nonconforming signs

- (a) Ordinary maintenance of all signs is permitted without the necessity of obtaining a permit as required by this section. Ordinary maintenance shall mean the refurbishment of signs as they exist with no substantial alteration. Replacement or reconstruction of any part of a sign shall not be considered ordinary maintenance.
- (b) In the event a change in use, occupancy, or ownership occurs and necessitates the alteration of a sign in any manner, the entire sign must then comply with any provisions of this article.
- (c) Signs which have been damaged, blown down or otherwise have been partially destroyed or dismantled for any purpose other than maintenance operations, require a permit to reconstruct in accordance with these regulations.

(d) All existing uncovered sign faces when a sign face is removed, shall be maintained so that visible wires, bulbs and other structural elements are covered completely by a plastic cover that matches the background colors of signs required by the appropriate architectural control committee, until the sign face is replaced with another descriptive business establishment sign face that meets the requirements of <a href="mailto:section3.06.016">section3.06.016</a>. In addition, while this plastic cover is in place all functioning light bulbs are required to be removed or power discontinued to sign face until the sign face is replaced with another descriptive business establishment sign face that meets the requirements of section 3.06.016.

### Sec. 3.06.016 Signs allowed

- (a) <u>Permanent signs for single- and multiple-family projects</u>. Single- and multiple-family signs, upon approval, may be placed on the property during construction and/or after completion of construction. Permanent single- and multiple-family project signs must meet the following criteria:
  - (1) <u>General guidelines</u>. Single-family residential subdivisions are allowed one permanent identification sign at each main entrance to the subdivision. Projects that consist of more than four (4) units may erect one (1) detached project identification sign. If such sign is to be externally illuminated, it must be by ground spot light only. To the extent practical, appropriate address information for 911 purposes shall be included.
  - (2) Maximum size and maximum height.
    - (A) Sign face: Four (4) feet high by five (5) feet wide.
    - (B) Bottom of sign will not extend more than two (2) feet above grade with a maximum height of six (6) feet and not in the sight triangle of any intersection.
  - (3) <u>Number of signs permitted</u>. One per multiple-family building. This sign may be a detached project identification sign.
- (b) <u>Permanent commercial project, governmental, church, library, social clubs and similar signs</u>. Permanent commercial project signs, governmental signs, and signs or bulletin boards customarily incidental to places of worship, libraries, museums, social clubs, societies, hotels, amenities or charitable organizations and located on the premises of such institution, must meet the following criteria:
  - (1) General guidelines.

(

(

- (A) Sign location should be designated on the original building plans and conform to the architectural style of the building.
- (B) Building mounted signs must lay flat and horizontal with the wall of the building and not protrude perpendicularly from it and not extend above the parapet of the building.
- (C) Only one detached sign will be permitted for each commercial building displaying the name of the building and the occupants. Each occupant sign shall match in size, color, and design.
- (D) Detached sign size and height: maximum sign face to be six (6) feet high by five and one-half (5-1/2) feet wide. The bottom of detached signs shall be no more than three (3) feet above grade.

- (E) Detached sign lighting is limited to ambient light and to external illumination by ground spot lighting only. Neon, light emitting diode (LED) and fluorescent lighting are not permitted on detached signs. No sign or other advertising structure shall be illuminated with lights that glare into or upon the surrounding area or any residential premises or distract operators of vehicles or pedestrians on the public right-of-way.
- (c) <u>Construction identification signs for residential homes</u>. Construction identification signs are allowed for new home construction and must meet the following criteria:
  - (1) No permit will be issued for construction identification signs and no fee will be charged, but the building contractor must submit the written approval by the architectural control committee (ACC) for the subdivision in which the sign is to be located to the development services department prior to placement of the construction identification sign on a property. No construction identification sign will be allowed to be posted on a property which has not first been signed off as approved by the ACC.
  - (2) A construction identification sign shall only be allowed to be placed on a building site during the construction period plus ten (10) days, beginning with the date the building permit is approved and ending ten (10) days after the final inspection.
  - (3) Illumination of a construction identification sign is prohibited.
  - (4) Construction identification signs are restricted to the street side of the project.
  - (5) The bottom of such sign shall not exceed more than two (2) feet above grade.

### (d) Model house signs.

- (1) Model house signs must meet the following criteria:
  - (A) Be part of a new project.
  - (B) Be part of a speculative project.
  - (C) Property must be landscaped.
  - (D) Structure must be furnished and decorated and all utilities connected.
  - (E) Structure must be unoccupied.
  - (F) An "open"/"closed" sign must be posted on a front window or door.
- (2) Maximum size and maximum height:
- (A) Maximum of 18" high x 30" wide or designated by CC and R's [Sections 1,2 & 3 CCRs allow the developer to post a for sale sign and general contractor to post a sign during house construction but no sizes are provided. Section 4 CCRs allow the developer to post a sign (size not provided) and the builder to post a sign during construction not to exceed nine (9) square feet and a model home sign not to exceed 32 square feet until the house is sold.]
  - (B) Bottom of the sign shall not extend more than two (2) feet above grade.
- (3) Illumination of model house signs is prohibited.
- (4) Model house signs may be coordinated with other such signs when part of a parade of homes.

### (e) Open house signs.

(1) These signs will only be approved for individual property owners or for real estate agencies

- (2) A permit to erect an open house sign is not required; however, a permit for the real estate agency to erect open house signs must be on file. [Do we currently require realtors to file a permit? Who is responsible for ensuring that the realty companies file ACC?]
- (3) The permit will remain valid as long as:
  - (A) Open house signs are only displayed for three (3) of any seven (7) consecutive days:
  - (B) Open house signs are only displayed during the actual times specified on the sign as open for viewing;
  - (C) Open house signs are only displayed while such house is manned with a homeowner or a licensed sales agent; and
  - (D) Open house signs are removed at the end of each day.
- (4) Open house signs must meet the following criteria:
- (A) <u>Size</u>. Maximum height of eighteen (18) inches, width of twelve (12) inches, and overall height including frame not to exceed forty (40) inches.
  - (B) Sign location and placement.
  - (i) Location and number of signs are restricted to two (2) off-site directional signs and one (1) sign on the house, townhouse or condominium project.

[KM5]

)

ı

- (ii) Sign may be placed in the yard or drive at least five (5) feet from street pavement.
- (5) Failure to remove open house signs when not manned by a homeowner or a licensed sales agent, when the house is locked, and/or during the overnight period will lead to cancellation of the permit for the display of open house signs issued to the homeowner or the real estate company conducting the open house and the open house sign will be removed.
- (6) No sign other than one (1) specified yard sign is allowed.
- (7) No sign that directs traffic to the open house is allowed.
- (8) Open house signs for property for lease or rent are not allowed.

[What are the placement requirements for items f through k below?]

- (f) <u>Directional</u>. Directional signs must meet the following criteria:
  - (1) Are only allowed on a permanent basis for the following: City, property owners' association, amenity owner, house of worship, hotel, multifamily projects, office buildings, hospital, medical clinic and retail centers.
  - (2) Are allowed on a temporary basis (not exceeding one year, but may be re-permitted once) for developers of new subdivisions or property subject to a planned development ordinance.

- (3) Cannot be larger than three (3) feet by five (5) feet and the bottom of the sign cannot extend more than three (3) feet above grade, except for directional signs at entrances.
- (4) Must have a masonry base.
- (5) Directional signs at entrances are allowed and cannot be larger than six (6) feet by five and one-half (5-1/2) feet and the bottom of the sign cannot extend more than three (3) feet above grade.
- (6) Advertising is not allowed on any directional sign.
- (g) <u>Monument</u>. Monument signs are only allowed for the following: City, property owners' association, amenity owner, house of worship, hotel, multifamily projects, office buildings and retail centers and cannot be larger than six (6) feet by five and one-half (5-1/2) feet and the bottom of the sign cannot extend more than three (3) feet above grade.
- (h) <u>Construction control</u>. Construction control signs of a size, color and material as may be required by federal or state government regulations, insurance providers, or the developer/contractor to minimize the risks and hazards associated with the work environment. Such signs may be mounted on wood posts or metal frames and cannot be larger than three (3) feet by five (5) feet and the bottom of the sign cannot extend more than two (2) feet above grade.
- (i) <u>Wall signs</u>. Wall signs are permitted provided they meet the maximum size calculated based on the following formula: a total of 50 square feet of sign area is permitted with at least a 2:1 ratio of length to height.
- (j) <u>Temporary monument tenant space available sign</u>. Temporary monument tenant space available signs are permitted but must be designed like the other signs in the monument sign.
- (k) <u>Property identification sign</u>. One property identification sign indicating name and/or address and not exceeding two (2) square feet in area.

### Sec. 3.06.017 Signs exempt from regulation

The signs described in this section are exempt from the regulations provided for in this article, except for the types of signs that are otherwise prohibited in section 3.06.018. However, the signs in this section may still require ACC approval, declarant or amenity owner of the particular subdivision in which they will be located. However, said signs, except as otherwise indicated in this article, shall remain subject to the permit requirements of section 3.06.006 and to construction and electrical standards of City codes.

- (1) Signs specifically approved in a planned development agreement or planned development ordinance.
- (2) "Door type" signs denoting the name and address of professional occupants of a professional office on the premises, provided that such signs do not exceed two (2) square feet in area.
- (3) Community service signs. Such signs may be placed on public property with permission of the public entity. All signs in this category for special events shall not be erected more than two (2) weeks prior to the event and shall be removed no later than two (2) days after the event. The owner or organization putting up the sign shall be responsible for all costs involved in the erection and removal of such signs. A freestanding community service sign shall not exceed six (6) square feet in area.
- (4) Official flags of governmental jurisdictions, and one (1) flag carrying the emblem of a business firm or other organizations. Maximum size for governmental flags shall not exceed six (6) by eight

- (8) feet and flags for businesses shall not exceed sixteen (16) square feet.
- (5) Commemorative plaques and integral signs placed by governmental or civic organizations, with a maximum size of four (4) square feet.
- (6) Political signs concerning candidates for public office and ballot issues, provided that such signs contain primarily a political message and are located on private real property with the consent of the property owner, and provided that each such sign:
  - (A) Does not carry commercial advertising or other messages that are not primarily political;
  - (B) Is not larger than six (6) feet by five and one-half (5-1/2) feet and the bottom of the sign cannot extend more than three (3) feet above grade; [Political signs are prohibited per CCRs but have been allowed in the subdivision to protect First Amendment rights. They are subject to ACC approval. Not sure if the maximum size is spelled out anywhere. Need to add text on what is allowed in the residential areas. See also 3.06.016 d.2.A and 3.06.019.]
  - (C) Is not more than eight (8) feet high;
  - (D) Is not illuminated;
  - (E) Does not have moving elements;
  - (F) Is not erected earlier than ninety (90) days before the election; and
  - (G) Is to be removed within five (5) days after the election.

Political signs are exempt from the permit requirements of <u>sections 3.06.001</u> through <u>3.06.015</u> and from <u>section 3.06.018</u> regarding prohibited signs.

- (7) Replacement of sign faces on existing sign structures and new occupant sign faces on detached permanent commercial project signs, only when written approval from the appropriate architectural control committee is received by development services.
- (8) <u>Open/closed signs</u>. Only double-sided, non-illuminated signs made of paper, cardboard or plastic, not exceeding one square foot in size.
- (9) <u>Temporary directional signs</u>. A copy of the development's KM61 ACC approval of temporary directional signs must be submitted to the building department at least seventy-two (72) hours prior to the event. Only four (4) off-site directional signs are allowed per event. The development services director KM71 [?] can approve a higher number of signs on a case-by-case basis. Maximum height of eighteen (18) inches and maximum width of twelve (12) inches for all signs. Larger signs can be approved with the discretion of the building department. The signs must be removed no later than the day after the event is finished.

### Sec. 3.06.018 Prohibited signs

The construction, placement, existence, use of or advertisement on signs of the following nature is prohibited:

- (1) Neon, flashing and light emitting diode (LED) signs are prohibited. Illuminated signs inside a building are not allowed if visible from outside the building.
- (2) Out of business signs. Signs which advertise an activity, business, project or service which has been out of business for more than forty-five (45) days. A sign which is abandoned such that it has not been used for advertising or promoting a going concern for three (3) months shall be removed by the current owner, leasing agent or tenant.

- (3) Moving signs. Signs which move or contain visible moving parts.
- (4) Advertising devices. Banners, posters, pennants, ribbons, streamers, strings of light bulbs, spinners, or other similar attention-getting advertising devices.
- (5) Signs which contain statements, words or pictures of an obscene, indecent or immoral character which offend contemporary community standards and provide no informative value.
- (6) Signs (other than canopy signs or projecting signs) on buildings located adjacent to the public right-of-way or portions thereof if permitted in <u>section 3.06.016</u> which are located on or extend over any public sidewalk, street, alley or other publicly owned property. Signs required or authorized by governmental authorities are exempted from these provisions.
- (7) Hazardous signs. Any signs which constitute a hazard to pedestrians or vehicular traffic, and signs which may be confused with, interfere with or which obstruct the view of a traffic sign, signal or device. No sign shall:
  - (A) Obstruct free and clear vision at any street intersection.
  - (B) Interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device because of its position, shape or color.
  - (C) Make use of the words "STOP," "LOOK," "DANGER" or any other word, phrase, symbol, or character in a manner that interferes with, misleads or confuses traffic.
  - (D) Present a traffic hazard by using illumination resembling an emergency signal.
- (8) Signs which make use of any word, phrase, symbol or character in such manner as to interfere with, mislead, or confuse vehicular or pedestrian traffic.
- (9) Portable or wheeled signs, including realty signs.
- (10) Signs with flashing, blinking, or traveling lights.
- (11) Signs attached to or located upon structures such as street furniture, benches, trash containers or fences.
- (12) Signs placed on the side or rear of any building or property when such sign faces upon a contiguous residential district.
- (13) Nothing contained herein shall be construed to prohibit the display of the flag of the United States, the state or any political subdivision permitted in section 3.06.017(4).
- (14) Roof signs mounted on, wholly supported by, or painted on the roof of a building.
- (15) Damaged signs. All signs displayed in the City shall be professionally made, and maintained in "like new" condition at all times. No sign or other advertising structure shall be inadequately maintained so as to show evidence of deterioration, including rotting supports, peeling, rust, dirt, fading, discoloration or holes. Damaged signs which are not repaired within thirty (30) days following the date of the damage or following the date of notice to repair same given by the Code Official, or any police officer, to the party responsible for such sign, whichever is sooner may be removed by the Code Official known or a police officer. Such thirty-day period shall be extended provided that a bona fide work order bearing a delivery date for repairs is submitted to the development services manager within the initial thirty-day period. The thirty-day period shall be extended until seven (7) days after the delivery date shown on the work order. The provisions of this section are subject to the provisions of sections 3.06.001 through 3.06.015.
- (16) Bandit signs.

- (17) Obstructions to doors, windows or fire escapes. No sign or other advertising structure shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape. No sign of any type shall be attached to a stand pipe or fire escape.
- (18) Unsafe signs. No sign or other advertising structure shall constitute a hazard to safety or health by reason of inadequate design, construction, repair or maintenance and if so, may be declared a public nuisance and be forwarded to the development services department for action.
- (19) Vehicular signs. No vehicle with a sign or other advertising structure in excess of fifty (50) square feet on each side that is painted on, adhered to or attached in any way to such vehicle shall be parked in public view for a period in excess of 4 hours during any one day. Such vehicles include, but are not limited to trucks, trailers, vans, and billboard trucks.
- (20) Temporary signs. Temporary signs other than those specifically permitted in this article are prohibited on property, structures, including inside windows, and on or in vehicles or recreational equipment.
- (21) Bench signs.
- (22) Nonconforming signs. A sign not in conformance with these regulations, which was lawfully permitted and erected prior to the enactment of said regulations, shall be considered a nonconforming sign. Nonconforming signs shall be exempted from the provisions of this article, unless damaged by natural causes or otherwise destroyed, taken down, or removed for any purpose other than maintenance operations which is allowed. It may not be re-erected, reconstructed or rebuilt, except in full compliance and conformance with this article. Any nonconforming sign which is damaged or is deteriorated to a point where its restoration cost exceeds thirty percent (30%) of its replacement value, shall be removed, unless otherwise authorized to remain. Any nonconforming sign whose copy is changed requires approval of a permit as a new sign.
- (23) Unlawful signs. An unlawful sign is not a nonconforming sign and must be removed within thirty (30) days. Any sign erected or maintained which is not in conformance with this article or prior ordinances of the City, is hereby declared to be a public nuisance and shall be removed or brought into compliance within the thirty-day period indicated. If the City finds that any sign or other advertising structure installed since the adoption of this article is prohibited by the provisions of this article, the City shall give written notice to the permittee or the owner of the property upon which the structure is located. If the permittee or owner fails to remove or alter the structure so as to comply with the standards set forth in this article within thirty (30) days after such notice, the City may undertake such removal or alteration as is necessary to bring the structure into compliance and assess the costs to the permittee or owner. The City may cause any sign or other advertising structure which represents an immediate peril to persons or property to be removed or altered immediately and without notice, and without compensation to the sign owner.
- (24) Freestanding service facilities signs.
- (25) Signs in the setback clearance zone. Except for street signs and directional signs.
- (26) Agricultural signs.
- (27) No sign, advertisement, billboard, or other advertising structure of any kind (including but not limited to signs, advertisements, billboards, or other advertising structures promoting sales, lease or rent of lots or land) shall be erected or allowed to remain on any of the unimproved lots or land and no sign shall be erected or allowed to remain on any lot or land improved or unimproved, except as expressly provided in <u>section 3.06.016</u>. In addition and without limitation, no sign,

advertisement, billboard, or other advertising structure of any kind (including but not limited to signs, advertisements, billboards, or other advertising structures promoting sales of lots or land) shall be erected or allowed to remain on any right-of-way or easement, whether dedicated for public use or not, without prior written approval of the appropriate subdivision's architectural committee, which approval may be withheld for any reason. It shall be the duty of the appropriate subdivision's architectural committee to remove or cause to be removed any sign, advertisement, billboard, or other advertising structure erected in violation of these prohibitions: provided the appropriate subdivision's architectural committee shall never be deemed liable for failing or refusing to exercise said duty.

- (28) For sale signs. No type of "for sale" sign or other advertisement that a vehicle is available for purchase may be placed on or displayed in any automobile, pickup, truck, tractor, trailer, recreational vehicle, boat, motorcycle or similar vehicle.
- (29) Billboards.
- (30) Off-premise signs. Except for directional signs.
- (31) Construction identification signs for purposes of identifying the work of remodeling, renovation, repair and home improvement are prohibited.
- (32) Electronic light emitting diode (LED) sign.

### Sec. 3.06.019 Property owners' association restrictions

Many of the single and multiple-family projects in the City have established their separate restrictions through their property owners' association (association). The provisions of this article shall not override a provision contained in the restrictions of such association if that provision is more restrictive than this article

### Sec. 3.06.020 Public safety protection

Nothing in this article is meant to prevent any public safety organization or agency from setting up and utilizing any type of sign needed on a temporary basis to protect and enhance public safety solely at the discretion of the public agency in the performance of its official duties.



### **Bid / Proposal Summary**



Date: 01/06/2021

Member Name: Double Horn

Member ID: 3075

Proposed
Effective Date
01/06/2021

Proposed
Anniversary Date
01/06/2022

Types of Coverage	Limit		Deductible	Annual Contribution
General Liability	\$1,000,000	Each occurrence <sup>1</sup>	\$0	\$269
	\$2,000,000	Aggregate		
Law Enforcement Liability <sup>2</sup>	\$1,000,000	Each occurrence	\$1,000	\$616
	\$2,000,000	Aggregate		
Errors & Omissions Liability <sup>3</sup>	\$1,000,000	Each wrongful act	\$1,000	\$609
(Public Officials)	\$2,000,000	Aggregate		·
Auto Liability	\$1,000,000	Each occurrence	\$0	\$0
Auto Medical Payments 4	\$25,000	Each person	\$0	Included

TOTAL ANNUAL:

\$1,560.00

2% Annual Payment Discount<sup>12</sup>:

\$31.20

**Total Annual Contribution:** 

\$1,528.80

**Quarterly Payment:** 

\$390.00

- 1. Sudden events involving pollution provided at the occurrence limit shown or \$2,000,000, whichever is less.
- 2. Retroactive date available for 5 years prior to the effective date of coverage at no additional contribution.
- 3. E&O retroactive date available for 5 years prior to the effective date of coverage at no additional contribution.
- 4. Automobile Medical Payments Coverage is included automatically for all automobiles with a design capacity of eight passengers or less. For larger capacity vehicles, coverage is available subject to an additional contribution. The deductible for Automobile Medical Payments Coverage is the same as the deductible elected for Automobile Liability.
- 12. Annual Payment Discount applies if full annual contribution is paid within 30 days of the effective date, or receipt of your first bill, whichever is later. (The Annual Payment Discount does not apply to public officials' bonds or windstorm coverage for Tier 1 members.)



### **Liability Schedule**

Member Name: Member ID: Contract Type: Coverage Period: Population: Double Horn 3075 Liability 01/06/2021 to 01/06/2022 240

### **General Liability Line**

Class Code 44100B	Classification Description Municipalities (0-2,500 Pop.)	Reported Exposure 75,000
Law Enforcement Liability Line		
Class Code 00016	Classification Description Law Enforcement Liability "If Any"	Reported Exposure

### **Errors and Omissions Liability Line**

Class Code 00016	Classification Description  E & O Liability - City - Under 2,500 Population	Reported Exposure
00016	E & O Liability - City - Under 2,500 Population	221

Notes Applicable to Fireworks and Special Events: Sponsored Only: The actual operation or display is performed by independent contractors. Primary Coverage: The actual operation or display is performed by your own employees or volunteers.

Texas Municipal League Intergovernmental Risk Pool 1821 Rutherford Lane, First Floor, Austin, Texas 78754 (512) 491-2300 I (800) 537-6655

L105 01/02/2007

# Prior Acts Coverage - Law Enforcement Liability Warrant of Incident Report

Please list below (and attach additional schedules as necessary) all claims and/or incidents of which the entity or its officers have knowledge which have or could give rise to a claim or claims against the entity or any person or organization which would be a covered party under the provision of the TML-IRP Law Enforcement Liability Coverage Section for the period for which Prior Acts coverage is requested.

Description of Incident or Claim	Claimant's Name	Date of Loss (when available)	Size of Loss (when available)
Name of current insurance carrier (if applicable):	Pol	icy No.:	Expiration Date:
Note: This form is not necessary if your prior	coverage is written on an	"Occurrence Fo	rm".
If you have no known claims or incidents to r	eport, please check here:		
Prior Acts Coverage is effective 5 years	s prior to the effective date	shown on the Pro	posal Acceptance Form.
I, the unders	igned, as an authorized re	presentative of:	
(1	Name of Political Subdivis	sion)	
do hereby accept on behalf of the above name above and hereby WARRANT that:	ed political subdivision Pr	ior Acts Coverage	e effective on the date indicated
<ol> <li>The claims data provided above is completed.</li> <li>All claims or incidents shown above have</li> <li>I have read and understood all of the rules and</li> </ol>	been reported to the prior car	rier, if previously in	nsured by such carrier: lained in the proposal for coverage;
4. I understand that any claim or incident o Liability coverage with TML-IRP will not	f which the entity had know be covered by TML-IRP.	ledge prior to the e	effective date of Law Enforcement
Signature of Authorized Official: _			
Title: _	· · · · · · · · · · · · · · · · · · ·		



### **General Liability Limit & Deductible Options**

Member Name: Member ID:

Contract Type: Coverage Type:

Coverage Period:

Double Horn 3075

Liability Liability Package 01/06/2021 to 01/06/2022

Limit Each					Deductible pe	r Occurrence				
Occurrence	0	500	1,000	2,500	5,000	10,000	25,000	50,000		
300,000	219	207	201	188	174	156	126	100		
500,000	244	232	226	213	199	181	151	125		
1,000,000	269	257	251	238	224	206	176	150		
2,000,000	294	282	276	263	249	231	201	175	************************	
3,000,000	319	307	301	288	274	256	226	200	***************************************	
5,000,000	369	357	351	338	324	306	276	250	***************************************	
10,000,000	494	482	476	463	449	431	401	375		

Limit shown is each occurrence. Unless otherwise noted, annual aggregate limit is twice the each occurrence limit except limits over 5 million. 10 million aggregate applies to all occurrence limits over 5 million. Contributions represented on the grid are annual contributions. Estimates based on simple proration for other than an annual term may vary from actual calculated contributions due to rounding.

> Texas Municipal League Intergovernmental Risk Pool 1821 Rutherford Lane, First Floor, Austin, Texas 78754 (512) 491-2300 | (800) 537-6655

L289 06/29/2005



### Law Enforcement Liability Limit & Deductible Options

Member Name: Member ID:

Contract Type: Coverage Type: Coverage Period: Double Horn 3075 Liability

Liability Package 01/06/2021 to 01/06/2022

Limit Each			Ded	uctible per Occurre	nce		
Occurrence	1,000	2,500	5,000	10,000	25,000	50,000	100,000
300,000	516	487	453	407	328	257	181
500,000	566	537	503	457	378	307	231
1,000,000	616	587	553	507	428	357	281
2,000,000	666	637	603	557	478	407	331
3,000,000	716	687	653	607	528	457	381
5,000,000	816	787	753	707	628	557	481
10,000,000	1,066	1,037	1,003	957	878	807	731

Limit shown is each occurrence. Unless otherwise noted, annual aggregate limit is twice the each occurrence limit except limits over 5 million. 10 million aggregate applies to all occurrence limits over 5 million. Contributions represented on the grid are annual contributions. Estimates based on simple proration for other than an annual term may vary from actual calculated contributions due to rounding.

Texas Municipal League Intergovernmental Risk Pool 1821 Rutherford Lane, First Floor, Austin, Texas 78754 (512) 491-2300 | (800) 537-6655

L290 06/29/2005



### **Errors & Omissions Liability Limit & Deductible Options**

Member Name: Member ID: Contract Type: Coverage Type: Coverage Period:

Double Horn 3075 Liability Liability Package 01/06/2021 to 01/06/2022

Limit Each	Deductible per Occurrence								
Occurrence	1,000	2,500	5,000			50,000	100,000		
300,000	509	480	447	401	323	253	178		
500,000	559	530	497	451	373	303	228		
1,000,000	609	580	547	501	423	353	278		
2,000,000	659	630	597	551	473	403	328		
3,000,000	709	680	647	601	523	453	378		
5,000,000	809	780	747	701	623	553	478		
10,000,000	1,059	1,030	997	951	873	803	728		

Limit shown is each wrongful act. Unless otherwise noted, annual aggregate limit is twice the each wrongful act limit except limits over 5 million. 10 million aggregate limit applies to all wrongful act limits over 5 million. Contributions represented on the grid are annual contributions. Estimates based on simple proration for other than an annual term may vary from actual calculated contributions due to rounding.

Texas Municipal League Intergovernmental Risk Pool 1821 Rutherford Lane, First Floor, Austin, Texas 78754 (512) 491-2300 I (800) 537-6655

L291 06/29/2005



# Automobile Hired & Non-Owned Limit & Deductible Options

Member Name:

Double Horn

Member ID:

3075

Contract Type:

Liability

Coverage Type:

Liability Package

Coverage Period:

01/06/2021 to 01/06/2022

Limit Each	Deductible per Occurrence							
Occurrence	0	1,000	2,500	5,000	10,000	25,000		
300,000	63	58	54	50	45	36		
500,000	65	60	56	52	47	38		
1,000,000	66	61	57	53	48	39		
2,000,000	68	63	59	55	50	41		

Contributions represented on the grid are annual contributions. Estimates based on simple proration for other than an annual term may vary from actual calculated contributions due to rounding.



### **Liability Proposal Acceptance Form**

Directions: This form and the interlocal Agreement must be completed, signed and returned. If time is of the essence, you may wish to use an express mail service or a facsimile copier. In the event you submit these documents by fascimile, the originals must still be sent by regular mail. (Note: Rural Fire Prevention Districts and Emergency Service Districts must provide other documents before coverage is effective.) Please indicate with (X) the coverages and method of payments that you are accepting.

### RETURN TO:

Texas Municipal League Intergovernmental Risk Pool *Underwriting Department*PO Box 149194

Austin, Texas 78714-9194 *Phone: (512) 491-2300 or (800) 537-6655 FAX: (512) 491-2404* 

COVERAGE	LIMITS	DEDUCTIBLE	CONTRIBUTION	EFFECTIVE DATE	ANNIVERSARY DATE
ieneral Liability	\$	\$	\$	***************************************	
aw Enforcement Liability	\$	\$	\$		**************************************
5yr Prior Àct.s Coverage (LEL)	Same as LEL	Same as LEL	Included		
rrors & Omission Liability	\$	\$	\$		
*5yr Prior .A,cts Coverage (E&O)	Same as E&O	Same as E&O	Included		
utomobile Medical payments	\$	\$	\$		
utomobile Liability	\$	\$	\$		
Method of	Payment:[] Quarter	ly	[] Annually (2% DISCOL	INT)	
	I, the u	ndersigned, as an autho	prized representative of:		
do hereby acc	ept on behalf of the abov	(Name of Political S ve named political subd	Subdivision) ivision the portions of the prop	oosal as indicated above.	
Signature of A	authorized Official:				
	Title: Date:				<del>-</del> -
	_				•

Texas Municipal League Intergovernmental Risk Pool 1821 Rutherford Lane, First Floor, Austin, Texas 78754 (512) 491-2300 I (800) 537-6655

L238 04/20/2012



### **Liability Proposal Acceptance Form**

Directions: This form and the interlocal Agreement must be completed, signed and returned. If time is of the essence, you may wish to use an express mail service or a facsimile copier. In the event you submit these documents by fascimile, the originals must still be sent by regular mail. (Note: Rural Fire Prevention Districts and Emergency Service Districts must provide other documents before coverage is effective.) Please indicate with (X) the coverages and method of payments that you are accepting.

The Signed Interlocal	
Agreement Must Accompan	ıy
This Form	•

	OFFICE USE	ONLY		
Contribution: Verification:	\$	Member ID :	3075	
() New	() Re-award	ling () Add	ing Coverage	

Texas Municipal League Intergovernmental Risk Pool 1821 Rutherford Lane, First Floor, Austin, Texas 78754 (512) 491-2300 I (800) 537-6655

L238 04/20/2012

### **BILLING STATEMENT**

Questions? Please contact Carol Platt at cplatt@tmlirp.org or extension 2415

Texas Municipal League Intergovernmental Risk Pool 1821 Rutherford Lane, First Floor Austin, Texas 78754 (512) 491-2300 • (800) 537-6655

Double Horn Attn: Cathy Sereno PO Box 727 Spicewood, Texas 78669-0000

Statement Date
Due Date
Contract Number

11/01/2020 **DUE UPON RECEIPT** 3075

New Char	ges Detail	Account Recap		
11/01/2020	Automobile Liability	\$70.00	Balance from	\$176.40
10/01/2020	Law Enforcement Liability	\$418.00	Previous	φ170.40
10/01/2020	Errors & Omissions Liability	\$413.00	Statement:	
10/01/2020	General Liability	\$156.00		
Subtotal - Co	ontribution installment	\$1,057.00		
		Ψ1,007.00	Total Payments	(\$176.40)
Subtotal - Co	ontribution Changes	\$0.00	Received:	(ψ170.40)
10/01/2020	Pre-Payment Discount - Errors and Omissions Liability	(\$8.26)	Total New	<b>\$1,035.8</b> 6
11/01/2020	Pre-Payment Discount - Automobile Liability	(\$1.40)	Charges /	Ψ1,000.00
10/01/2020	Pre-Payment Discount - Law Enforcement Liability	(\$8.36)	(Credits):	
10/01/2020	Pre-Payment Discount - General Liability	(ሰታ ተሰነ		
Subtotal - Of	ther Charges / (Credits)	(\$3.12)	,	
		(\$21.14)	Balance:	\$1,035.86
Grand Total	New Charges (Credits)	\$1,035.86		¥ 1,000.00
n (	11) 1		·	
1 1 1 1	NOV 2020 J			

