

ATTACHMENT 1
CURRENT ORDINANCE

“Article XI. Signs.

Sec. 6-251. Purpose.

The purpose of this Article is to regulate the location, size, construction, duration, use, and maintenance of all signs within the corporate city limits and the extraterritorial jurisdiction of the city on a content-neutral basis. The general objectives of this Article are to balance the rights of individuals to convey their messages through the lawful use of signs and the rights of the public to be protected from potential harm, and to promote the health, safety, and welfare of the public, and to aid in achieving the following goals:

- (a) *Safety.* To promote the safety of persons and property by providing that signs do not:
 - (1) create a hazard due to collapse, fire, decay and/or abandonment;
 - (2) obstruct firefighting or police observation; or
 - (3) create traffic hazards by confusing or distracting pedestrians, motorists or cyclists.

- (b) *Provide Information.* To promote the efficient transfer of information through the effective use of signs, with messages that:
 - (1) afford priority to the conveyance of public safety messages;
 - (2) allow businesses and services to identify themselves to the public;
 - (3) allow potential customers to locate a business or service; and
 - (4) ensure that the right of free speech is preserved.

- (c) *Environmental preservation and aesthetics.* To protect the public welfare and to preserve and enhance the appearance and economic value of the built environment, by providing that signs:
 - (1) do not interfere with any scenic views;
 - (2) do not create visual clutter to persons using the public rights-of-way;
 - (3) do not create a nuisance to occupants or customers of adjacent property by the sign’s size, height, brightness or materials; and
 - (4) do not have a detrimental effect on land or property values.

Signs shall be permitted by right in each zoning district in conjunction with any permitted principal use or authorized special exception according to the standards as set forth in the sections below.

Sec. 6-252. Authority and Jurisdiction.

The provisions of this Article shall apply within the corporate city limits and within the extraterritorial jurisdiction (ETJ) of the City of The Colony, as defined by the Texas Local Government Code, Chapters 9, 26, and 42, and pursuant to the express authority and limitations

provided in Chapter 216. For the purposes of these sign regulations, any sign erected or installed within the ETJ of the city shall be erected or installed in accordance with the standards imposed for property inside the corporate city limits.

Sec. 6-253. Permit and Inspection Required.

- (a) *Permit Required.* Except as otherwise indicated, no sign may be installed, relocated, posted, painted, or maintained by any person without first obtaining a permit from the Chief Building Official.
- (b) *Application.* Any application for a sign permit must include a dimensioned drawing illustrating the location, design, height, effective sign area measurement, base, frame materials, color schemes, and letter size of the sign, including a site drawing showing the location of the sign on the property in relation to other built features. The Chief Building Official or designee may require more detailed plans to be submitted that are prepared by a State of Texas registered professional engineer or architect.
- (c) *Fees.* Fees are applicable with most sign permits. Refer to the city's approved Fee Schedule. Fees are non-refundable.
- (d) *Construction Materials.* All signs shall conform to the city's standard specifications for building materials and design. Monument signs shall consist of the same material, colors, and textures as the associated primary structure(s). Monument and pylon signs adjacent to public rights-of-way shall be landscaped around the base, and shall incorporate architectural elements into the design, as deemed necessary by the Chief Building Official and/or the Landscape Ordinance.
- (e) *Signs Located Within the Gateway Overlay District.* Additional sign standards and regulations for the Gateway Overlay District are found in Chapter 10A, Appendix A, Zoning, in the Code of Ordinances.
- (f) *Inspections Required.* All signs require inspection by the Chief Building Official or designee prior to covering electrical work, if applicable, and at the completion of sign construction.
- (g) *Permit Expiration.* A permit for a sign shall expire if the construction of said sign is not completed within 180 days after the permit has been issued.
- (h) *Interpretations.* The Chief Building Official shall have the authority to issue written sign ordinance interpretations. Any person aggrieved by an interpretation shall have the right to make an appeal according to Section 6-256 of this Article.

Sec. 6-254. Enforcement Authority.

- (a) The Chief Building Official, or designee is hereby authorized to issue a citation and/or to order the repair or removal of any dilapidated, illegal, unsafe, unlit or prohibited sign from property within the corporate City limits and the extraterritorial jurisdiction of The Colony, in accordance with the enforcement mechanisms set forth in this Article.

- (b) If the property owner fails or refuses to comply with this Article, the City shall give written notice to the property owner. The notice shall be delivered in person or by mail to the owner. If delivery in person is not possible, or the owner's address is unknown, notice shall be given as a one-time publication in the City's official newspaper.
- (c) A notice of violation shall contain a statement setting forth the requirements of this section, that the owner has ten (10) days from the date of the notice to correct the violation and if the owner fails to correct the violation, the City will either abate the violation or issue a citation. If the owner fails to pay the cost for abatement, a lien shall be filed against the property.

Sec. 6-255. Removal of a Sign in Violation of Ordinance.

(a) *Removal / Impoundment of a Prohibited Sign*

- (1) Any prohibited sign or non-compliant sign shall be considered a public nuisance and is prohibited by this Article in the city and its extra-territorial jurisdiction (ETJ). Upon identification of any prohibited sign, the Chief Building Official or his/her designee shall provide written notification of the violation to the owner of the property on which the prohibited sign is located. The notification shall state that the offending sign shall be removed by the owner, agent or person having beneficial use of the land, building or structure upon which such sign is located within the time period prescribed in the written notification of the Chief Building Official. The notification shall further state that if the prohibited sign is not removed within a specific timeframe (not to exceed ten (10) calendar days), a citation may be issued and the city may resort to any civil remedy available, up to and including impoundment. If any sign is determined to present an immediate danger to public health, safety, or welfare, the city shall remove it immediately upon receiving a written court order for such removal. Within ten (10) calendar days of the removal of the sign, the Chief Building Official shall notify the owner of the property on which the sign was located of the reason(s) for the removal of the sign. Any sign authorized by a sign permit number with an expiration date shall be removed promptly upon the date of expiration. Any sign remaining after the date of expiration shall be deemed prohibited. The sign permit that provides the expiration date shall be considered adequate notice of violation.
- (2) It shall be unlawful for any person, firm, entity or corporation receiving such written notification or having an expired sign permit to fail to comply with the direction of the notification. In the event of failure to comply with such notice provided, the Chief Building Official is hereby authorized to cause the removal and impoundment of such sign. Any expenses incident thereto shall be the responsibility of the owner, agent or person having beneficial use of the land, building or structure upon which such sign was located.

(b) *Temporary Nuisance Sign*

- (1) *Temporary nuisance signs are prohibited.* A temporary nuisance sign may be immediately removed and impounded by any city employee, or any person or organization authorized by the city to remove such temporary nuisance signs.
- (2) *Disposal of temporary nuisance signs.* Temporary nuisance signs may be disposed of as follows:
 - (A) Any sign and its supports may be placed in the trash and/or destroyed immediately.
 - (B) *Responsible Person.* The person(s) physically placing the temporary nuisance sign and/or the owner of the temporary nuisance sign are both individually and severably responsible for the posting and removal of said sign. It is also prima facie evidence that the person and/or entity whose address or telephone number is on a temporary nuisance sign, or is otherwise named, described, or identified on the sign is the person and/or entity who owns the temporary nuisance sign.
 - (C) *Obligation to Remove.* The city, at the Chief Building Official's sole discretion, may remove the temporary nuisance sign on its own or may require the person and/or entity whose address or telephone number is on a temporary nuisance sign, or is otherwise named, described, or identified on the sign to remove the temporary nuisance sign. A person and/or entity whose address or telephone number is on a temporary nuisance sign, or is otherwise named, described, or identified on the sign has an absolute duty to remove the temporary nuisance sign at their own cost, within twenty-four (24) hours of the city sending notice to remove such sign. The city may notify an individual and/or entity under this section in person, by e-mail, by mail, or by telephone. An individual and/or entity's failure to remove a temporary nuisance sign after receiving such notice from the city shall constitute an offense separate from that of the violation of posting the temporary nuisance sign.

(c) *Maintenance of Signs*

- (1) All signs, including but not limited to non-conforming signs, shall be maintained to consistently have a neat appearance and be in full working order. Any sign panel and/or sign graphic shall be secured and maintained so that it does not separate from, hang from, or fall from the sign. Any sign panel and/or sign graphic shall not be faded, ripped, or have any other damage. Any sign or graphic made up of neon or other lighted feature must maintain the entire lit portion of the sign at all times.
- (2) Any sign panel or sign graphic that advertises a specific event and/or business shall be removed from the sign within seventy-two (72) hours after the event has taken place. Any sign that remains within thirty (30) days after the business has closed and ceased operations shall be considered abandoned and shall be removed.

- (3) It shall be unlawful for any person, firm, entity or corporation receiving written notification of a sign that is neglected and/or in disrepair to fail to comply with the direction of the notice. In the event failure to comply with such notice provided under this Article, the Chief Building Official is hereby authorized to cause the removal and impoundment of such sign upon the issuance of a written court order authorizing the removal and impoundment of such sign. Any expenses incident thereto shall be the responsibility of the owner, agent, or person having beneficial use of the land, building or structure upon which such sign was located. The city shall invoice the owner, agent, or person having beneficial use of the land for such expenses incurred by the city associated with the removal and impoundment of such sign.

Sec. 6-256. Appeals to Sign Ordinance.

- (a) *Creation of Board.* There is hereby established a Sign Board of Appeals consisting of five (5) current members of the Board of Adjustment and alternates. Alternate members may serve as replacement members in the event of absence or disqualification.
- (b) *Quorum.* A majority of members, three (3) or more members, shall constitute a quorum. In the event of the absence of the chairman and vice-chairman, the three (3) or more members constituting the quorum shall elect for that meeting a member to preside and assume the duties as acting chairman. All motions shall be decided by a simple majority.
- (c) *Meetings.* All meetings shall be open to the public. The Board shall establish the dates, times and places of meetings.
- (d) *Records.* All proceedings of the Sign Board of Appeals shall be recorded in minutes of meetings and such minutes approved and made a matter of public record.
- (e) *Powers and Duties.* The Sign Board of Appeals shall have the following powers and perform the following duties:
 - (1) The Sign Board of Appeals may hear and decide appeals which allege error in any order, requirement, decision, or determination made by the Chief Building Official in connection with the refusal to grant a permit, revoke a permit, or a decision involving any substantive or material interpretation of this Article.
 - (2) A variance shall not be granted to relieve a self-imposed or personal hardship, nor shall it be based solely on economic gain or loss. In order to make a finding of hardship and to grant a variance from this Article, the Board must determine that:
 - (A) The requested variance does not violate the intent of the ordinance.
 - (B) The requested variance will not adversely affect surrounding properties.
 - (C) The requested variance will not adversely affect public safety.
 - (D) Special conditions exist which are unique to the applicant or property.

- (3) All action regarding variances by the Sign Board of Appeals shall be final.
- (4) The Sign Board of Appeals shall only exercise those duties which are provided in this Article.

Sec. 6-257. Sign Placement and Measurement

(a) *Location.* Any sign within the corporate city limits of The Colony shall be placed within the buildable area of a lot excluding directional signs, identification signs and subdivision entry signs, which may be placed in any yard, but not closer than five (5) feet to the right-of-way. Any sign within the extraterritorial jurisdiction of The Colony shall be placed not closer than five (5) feet to the ultimate right-of-way, as designated by the city’s Master Thoroughfare Plan.

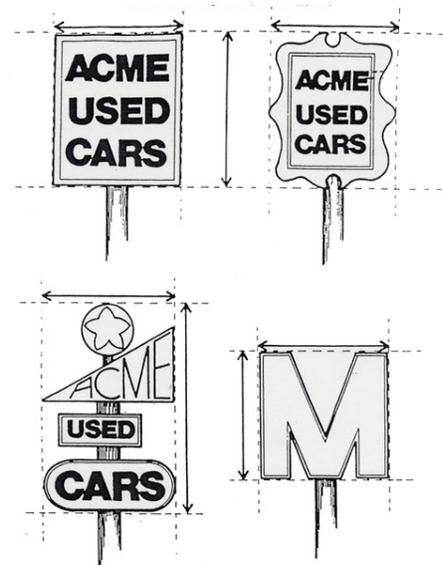
(b) *Sign Area Measurement.* For the purposes of this Article, sign area shall be measured as follows:

- (1) Square, rectangular or triangular signs: length times greatest height of the sign.
- (2) Sign composed of individual cutout letters or figures: length multiplied by the greatest height of the sign.

(c) *Height.* Sign height shall be measured from ground level to the highest element of the sign.

(d) *Distance between Signs.* Whenever a minimum distance between signs is indicated in this Article, it refers to the horizontal distance between signs measured from the points as if each sign touched the ground.

SIGN AREA MEASUREMENT



Sec. 6-258. Prohibited Signs.

Any sign not referenced in, defined by or governed by this Ordinance is prohibited. In addition, the following signs are specifically prohibited:

- (a) Billboard
- (b) Off-premises sign
- (c) Pole Sign
- (d) Portable Sign
- (e) Roof Sign
- (f) Searchlight
- (g) Sign that emits odor or visible matter
- (h) Temporary Sign, except as expressly permitted in Section 6-261.
- (i) Vehicular Sign where its primary function is to have the effect of a stationary or monument sign
- (j) Wind Device

The following signs are also prohibited:

- (a) Any sign containing graffiti, obscene, indecent or immoral words, pictures, descriptions or other matter deemed to be of detriment to the health or morals of the citizens.
- (b) Any sign that advertises events, businesses and/or services located outside the corporate city limits or the extraterritorial jurisdiction (ETJ) of The Colony.
- (c) Any sign that could create a conflict with the traveling public or that creates confusion, impairs hearing or vision, or otherwise unduly attracts a vehicle driver using any public street, including high intensity bare bulbs, any sign that duplicates traffic signs or signals, or any sign emitting noises that simulates sirens, bells or any warning devices of emergency vehicles.
- (d) Any sign that is affixed to fences, utility poles, and trees on public or private property or any sign that is erected in or over a public right-of-way or access easement, except as allowed in Section 6-259(j).
- (e) Any sign erected in violation of the Building Code currently adopted by the City, that is erected or installed without the issuance of a permit, or that does not comply with Federal or State laws.
- (f) Any flashing sign and intermittent lighting of signs or areas:
 - (1) where it is located within 200 feet of and/or is directly visible from residential property;
 - (2) any lighted sign that would, by reason of placement, lack of shielding, noise generation or character of operation, be adverse to the normal sensibilities of a person residing on adjacent property or would interfere with the reasonable use, enjoyment or right of privacy on said property; and/or
 - (3) any sign or lighting used in conjunction with other moving, flashing, intermittently lighted, changing colors, beacons, revolving or similarly constructed signs.

Sec. 6-259. Exemptions.

The following types of sign shall be exempt from the provisions of this Section and require no permit or fee:

- (a) Athletic field sign
- (b) Directional sign not exceeding four and one-half (4½) square feet in effective sign area and/or thirty (30) inches in height
- (c) Governmental sign
- (d) Historical or memorial plaque
- (e) Mailboxes and/or newspaper rack sign so long as such sign is not placed to interfere with the safe movement of pedestrians and/or vehicular traffic

- (f) Menu board
- (g) National, state and/or city flags
- (h) Private traffic control sign not exceeding ten (10) square feet in effective sign area and/or six (6) feet in height, and placed where it will not interfere with the safe movement of vehicles and/or pedestrians
- (i) Railway sign
- (j) Residential fence sign that does not exceed one (1) square foot in effective sign area
- (k) Residential holiday sign
- (l) School affiliation sign
- (m) Sign on outdoor machines, devices and equipment
- (n) Sign/Placard on and/or held by persons
- (o) Utility sign

Sec. 6-260. Legal, Nonconforming Signs.

Billboard signs are not allowed within the corporate city limits and the extraterritorial jurisdiction of the City of The Colony. Every sign lawfully in existence on the date of passage of this section may have minor repairs and maintenance done without applying for a permit hereunder, but no such sign or sign facing shall be altered from its original shape or size. A damaged nonconforming sign shall not be repaired, maintained or replaced if the repairs, maintenance, or replacement costs exceed fifty-one percent (51%) of the cost of installing a new sign of the same type in the same location and shall be removed.

(a) *Relocation of Legal, Nonconforming Signs.*

- (1) A legal, nonconforming sign cannot be moved from its original location unless a permit is issued pursuant to the provisions of this Article.
- (2) Any sign that is currently a legal, nonconforming sign may be relocated on the same lot if the sign is required to be removed through the eminent domain process. Such relocated sign shall be placed, insofar as possible, in compliance with all the provisions of this Article.

(b) Registration of Legal, Nonconforming Signs.

- (1) *Responsibility of Owner.* In order for a sign to be registered as a legal, nonconforming sign, it is the responsibility of the owner of said sign to produce documentation as follows:
- (2) *Application.* To register an existing billboard, an application shall be made to the Chief Building Official, on a form provided for that purpose, documenting that the sign was in existence prior to the adoption of the current sign ordinance and therefore has established its legal, nonconforming status. The application shall be accompanied with the payment of an applicable fee and any other information reasonably required by the Chief Building Official. In addition, once the legal, nonconforming status has been granted, the owner of said sign must continue to re-register said sign on an annual basis.

- (3) *Issuance of Registration Tag.* After review by the Chief Building Official, if it is determined that the billboard has established a legal, nonconforming status, a registration tag shall be issued to the owner. The owner of the billboard shall attach the tag in a conspicuous place on said billboard.
- (4) *Permit Required.* Any existing, legal, nonconforming sign must obtain a permit for any change to the message, display or content on the face of the sign.
- (5) *Registration Termination.* The Chief Building Official shall terminate any registration tag for a legal, nonconforming billboard sign when it is removed from the premises for any reason or it has been damaged or destroyed so as to lose its legal, nonconforming status.

Sec. 6-261. Specific Sign Criteria – Temporary Signs.

(a) Banner Advertising a Commercial Use	
Location	A banner shall be securely attached to the front, side or rear face of a building A banner may also be located within the front or side landscaped area, providing the banner is setback a minimum of twenty-five (25) feet from the front and/or side property line or the building setback line for the specific zoning district, whichever is greater.
Maximum Effective Sign Area	48 square feet of effective sign area
Minimum Vertical Sidewalk Clearance	7 feet in height when attached where pedestrians would walk beneath the banner
Permit	Required
Fee	Yes
Timeframe	Valid for 30 days During the 30 day time period, the content of the banner may be changed one time
Maximum Number of Occurrences	4 banner permits are allowed per business per calendar year
Removal	All banners must be removed on the day of the expiration of the permit

(b) Grand Opening Banner Advertising a Commercial Use	
Location	A grand opening banner shall be securely attached to the front, side or rear face of a building. A grand opening banner may also be located within the front or side landscaped area, providing the banner is setback a minimum of twenty-five (25) feet from the front or side property line or the building setback line for the specific zoning



GRAND OPENING BANNER

	district, whichever is greater.
Maximum Effective Sign Area	48 square feet of effective sign area
Minimum Vertical Sidewalk Clearance	7 feet in height when attached where pedestrians would walk beneath the banner
Permit	Required
Fee	No
Timeframe	Valid for 30 days
Maximum Number of Occurrences	1 Grand Opening banner permit is allowed per business
Removal	All banners must be removed on the day of the expiration of the permit

(a) Construction Sign	
Location	A temporary construction sign shall be placed outside the right-of-way and/or street medians
Maximum Effective Sign Area	60 square feet of effective sign area
Maximum Height	10 feet
Permit	Required
Fee	Yes
Maximum Number of Signs	3 temporary constructions signs are allowed per lot
Removal	Must be removed within 72 hours following the issuance of a certificate of occupancy



CONSTRUCTION SIGN

(b) Garage Sale Sign	
Location	A garage sale sign must be placed outside the right-of-way and/or street medians and may not be affixed to any signal, traffic, utility or light pole
Maximum Effective Sign Area	3 square feet of effective sign area per sign face (may be double sided)
Maximum Height	3 feet
Permit	Required
Fee	No
Maximum Number of Signs	6 garage sales signs are allowed per garage sale
Timeframe:	Friday 8:00 am to Monday 8:00 am



GARAGE SALE SIGN

(c) Inflatable Sign	
Location	An inflatable sign may be located only in commercial and/or non-residential zoning districts. An inflatable sign shall be resting on the roof of a commercial building and/or be resting on a parking lot, so long as the required number of parking spaces is maintained An inflatable sign shall not be located within any required parking spaces,

	driveways, fire lanes, in the landscape buffer or in the public right-of-way
Maximum Effective Sign Area	45 square feet of effective sign area
Maximum Height	30 feet
Permit	Required
Fee	Yes
Maximum Number of Signs	1 inflatable sign is permitted per business three times per calendar year. In the case of multiple businesses or tenants in a commercial center, no more than 1 inflatable sign may be located in the center at any one time
Timeframe	Inflatable signs may be utilized for a maximum of 14 days per permit. Permits may be consecutive.
Removal	All inflatable signs must be removed on the day of the expiration of the permit



INFLATABLE SIGN

(d) Missing Animal Sign	
Location	A missing animal sign shall be placed outside the right-of-way and/or street medians
Maximum Effective Sign Area	4 square feet of effective sign area
Permit	Required
Fee	No
Maximum Number of Signs	10 signs
Timeframe	7 days maximum



LOST ANIMAL SIGN

(e) Open House Sign	
Location	An open house sign must be placed outside the right-of-way and/or street medians and may not be affixed to any signal, traffic, utility or light pole
Maximum Effective Sign Area	3 square feet of effective sign area
Maximum Height	3 feet
Permit	Not Required
Fee	No
Maximum Number of Signs	6 open house signs are allowed per sales location
Timeframe:	Friday 8:00 am to Monday 8:00 am



OPEN HOUSE SIGN

(f) Political Sign	
Location	May be erected on private property Shall not be located within any public right-of-way or median Shall not be located within 100 feet of any polling location
Maximum Effective Sign Area	



POLITICAL SIGN

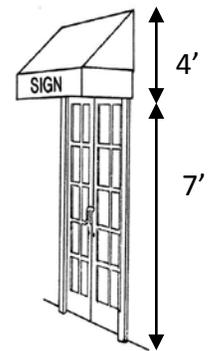
Signs located greater than 100 feet but closer than 500 feet of any polling location: All other locations:	6 square feet of effective sign area 36 square feet of effective sign area
Maximum Height	10 feet
Permit	Not Required
Fee	No
Maximum Number of Signs	No restriction as to number

(g) Property Sale or Lease Sign	
Location	A property sale and/or lease sign shall not be located within any right-of-way or median
Maximum Effective Sign Area Residential: Non-residential: Non-residential along SH 121:	6 square feet of effective sign area 60 square feet of effective sign area 100 square feet of effective sign area
Maximum Height Residential: Non-residential: Non-residential along SH 121:	3 feet 10 feet 20 feet
Permit	Required – non-residential only
Fee	Yes – non-residential only
Removal	5 business days after the sale or lease of advertised property



Sec. 6-262. Specific Sign Criteria – Permanent Signs.

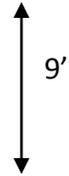
(a) Awning Sign	
Location	Allowed for nonresidential uses or in a residential zoning district for apartment uses Awning signs may not extend into or over the right-of-way
Maximum Effective Sign Area	75% of the width of the awning
Maximum Height	4 feet from base of awning
Minimum Vertical Sidewalk Clearance	7 feet in height
Required Materials	Canvas, metal, wood or other material approved by the Chief Building Official
Permit	Required
Fee	Yes
Setbacks	Not applicable
Maximum Number of Signs	Not applicable
Minimum Spacing between Signs	Not applicable
Special Note	Awnings shall be secured to the building and may not move in any manner



AWNING SIGN

(b) Lightpost Banner

Location	A lightpost banner may be located in commercial, residential and planned development districts
Maximum Effective Sign Area	24 square feet of effective sign area
Minimum Clearance	9 feet
Permit	Not Required; but permission must be obtained from the owner of the lightpost to place banners
Fee	No
Maximum Number of Signs	2 lightpost signs are allowed on any lightpost
Timeframe	None specified



LIGHTPOST BANNER

(c) Monument Sign - Multi-Tenant Commercial Development

Location	A monument sign shall not be placed within any visibility site triangle Minimum 5 feet setback from any non-residential property line Minimum 50 feet setback from any residential property line
Maximum Effective Sign Area	96 square feet of effective sign area
Maximum Total Sign Area	160 square feet
Base Size	The height of the base supporting a monument sign shall be at least 25% of the total sign height
Maximum Height	16 feet (Creating a grade by berming or adding fill to increase the height of the sign is prohibited)
Materials	A monument sign shall have a base and exterior frames that feature the same materials and color as the primary structure.
Spacing Between Signs	150 linear feet per premises
Lighting	Single-faced or double-faced sign lighting is allowed. Lighting is permissible by back fluorescent or accent lighting No lighting shall shine or produce glare onto public streets or adjacent residential properties
Changeable Electronic Message/Reader Board Component	Maximum seventy-five (75%) of the effective sign area Each message must be displayed a minimum of 10 seconds and must occur simultaneously on the entire electronic sign face If located along SH121, FM 423 or other state highway, refer to TxDOT regulations, where applicable
Permit	Required
Fee	Yes
Maximum Number of Signs	4 monument signs per multi-tenant commercial development



(d) Monument Sign - Single-Tenant Commercial Development

Location	A monument sign shall not be placed within any visibility site triangle Minimum 5 feet setback from any non-residential property line Minimum 50 feet setback from any residential property line
Maximum Effective Sign Area	48 square feet of effective sign area
Total Maximum Sign Area	80 square feet
Base Size	The height of the base supporting a monument sign shall be at least 25% of the total sign height
Maximum Height	8 feet (Creating a grade by berming or adding fill to increase the height of the sign is prohibited)
Materials	A monument sign shall have a base and exterior frames that feature the same materials and color as the primary structure.
Spacing Between Signs	150 linear feet per premises
Lighting	Single-faced or double-faced sign lighting is allowed Lighting is permissible by back fluorescent or accent lighting No lighting shall shine or produce glare onto public streets or adjacent residential properties.
Changeable Electronic Message/Reader Board Component	Maximum seventy-five (75%) of the effective sign area Each message must be displayed a minimum of 10 seconds and must occur simultaneously on the entire electronic sign face If located along SH121, FM 423 or other state highway, refer to TxDOT regulations, where applicable
Permit	Required
Fee	Yes
Maximum Number of Signs	1 monument sign per premises



MULTI-TENANT
COMMERCIAL DEVELOPMENT
MONUMENT SIGN

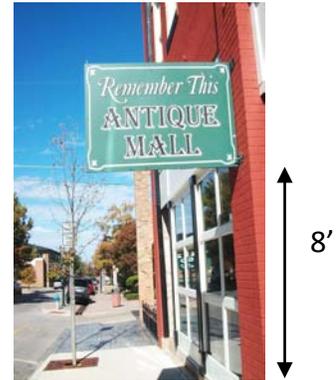


SINGLE TENANT
COMMERCIAL DEVELOPMENT
MONUMENT SIGN

WITH ELECTRONIC READER BOARD

(e) Projecting or Hanging Sign

Location	Allowed only in nonresidential use or in a nonresidential zoning district Projecting sign shall not extend above a building wall
Maximum Effective Sign Area	12 square feet of effective sign area
Minimum Clearance	8 feet
Permit	Required
Fee	Yes



PROJECTING SIGN

(f) Pylon Sign

Location	Permitted only along the frontage of State Highway 121 as follows Minimum 40 feet setback from any side or rear property line Minimum 10 feet from any easement or property line adjacent to a street Minimum 50 feet setback from any residential property line
Maximum Effective Sign Area	100 square feet of effective sign area per business 500 square feet maximum effective sign area, regardless of the number of businesses advertising on the sign
Supports	2 structural supports required (single pole pylon signs are prohibited) Supports shall be located at the outermost extremities of the sign face



PYLON SIGN

	No additional signs or advertising may be attached to the support structure No exposed support piping is allowed
Maximum Height	40 feet (Creating a grade by berming or adding fill to increase the height of the sign is prohibited)
Materials	The structural supports shall be encased in the same materials and color as the primary associated structure
Spacing Between Signs	150 linear feet per premises
Lighting	Single-faced or double-faced sign lighting is allowed. Lighting is permissible by back fluorescent or accent lighting. No lighting shall shine or produce glare onto public streets or adjacent residential properties
Changeable Electronic Message/Reader Board Component.	Maximum seventy-five (75%) of the effective sign area Each message must be displayed a minimum of 10 seconds and must occur simultaneously on the entire electronic sign face If located along SH121, FM 423 or other state highway, refer to TxDOT regulations, where applicable

Permit	Required
Fee	Yes
Maximum Number of Signs	1 pylon sign per commercial development

(g) Wall Sign

Location	Allowed only in conjunction with a nonresidential use or in a nonresidential zoning district	
Maximum Effective Sign Area	60 square feet of effective sign area or 10% of the façade, whichever is greater	
Changeable Electronic Message/Reader Board Component	<p>May be one-hundred percent (100%) of the effective sign area</p> <p>Each message must be displayed a minimum of 10 seconds and must occur simultaneously on the entire electronic sign face</p> <p>If located along SH121, FM 423 or other state highway, refer to TxDOT regulations, where applicable</p>	 <p style="text-align: center;">WALL SIGN</p>
Permit	Required	
Fee	Yes	
Maximum Number of Signs	None specified	

(h) Wayfinding Sign (Civic Signs)

Location	Allowed in all zoning districts
Maximum Effective Sign Area	25 square feet
Changeable Electronic Message/Reader Board Component	<p>May be seventy-five percent (75%) of the effective sign area</p> <p>Each message must be displayed a minimum of 10 seconds and must occur simultaneously on the entire electronic sign face</p> <p>If located along SH121, FM 423 or other state highway, refer to TxDOT regulations, where applicable</p>
Permit	Not required
Fee	No
Maximum Number of Signs	None specified



WAYFINDING SIGN

(i) Organization Event Signs

Purpose	To reduce visual clutter by providing permanent signs in various locations around the city to advertise events, notices, etc. by organizations that are Co-Sponsored by the City, have a contractual agreement with the City, and not-for-profit groups that are based within the City of The Colony (See Section 6-263, Definitions, for a more detailed definition of eligible groups and events).
Materials	All placards advertising an event and placed within the Organization Event Signs shall be of pliable magnetic materials and shall be 11½ inches in height and 48 inches wide.
Eligibility	No commercial businesses are allowed. The group applying to advertise placards for an event shall meet one of the following criteria: (a) A group that is co-sponsored or has a contractual agreement with the City of The Colony and has a not-for-profit status; (b) A group that is co-sponsored or has a contractual agreement with the City of The Colony and is a for-profit entity, but is advertising only for a special event outside of normal commercial activity; or (c) A group that is not co-sponsored and/or does not have a contractual agreement with the City of The Colony, but has a not-for-profit status.
Permit/ Application	Yes. A permit/application is required. Groups desiring to include a placard advertising an event on the Organization Event Signs must apply for a permit using either (1) the Special Event Packet (which includes the Organization Event Sign Permit Application form) or (2) by using the Organization Event Sign Permit Application form by itself.
Fee	Yes. A fee is required as shown in the Adopted Fee Schedule (if the group has paid for a Special Event Permit, the Organization Event Sign Permit fee is included in that fee).
Deadlines	Application shall be made a minimum of thirty (30) days and not more than six (6) months prior to the desired start date of the placards being posted.
Duration	Placards advertising events will typically be posted on Mondays, with the exception of those Mondays that fall on a City-observed holiday or a City-called inclement weather day. If a holiday or an inclement weather day falls on a Monday, placards will typically be posted on the first available day in which City Hall is open. All placards advertising a single event shall be posted up to a maximum period of twenty-one (21) days. The twenty-one (21) day period begins the first day the placard advertising an event is posted. Each separate advertised event may occupy only one (1) placard per Organization Event facade in any given twenty-one (21) day time period. No single group shall be permitted to advertise on the Organization

	<p>Event Sign more than three (3) times within a six (6) month period, starting from the date of application.</p> <p>A single advertised event may occupy a placard space for two consecutive twenty-one (21) day periods, so long as space is available on the Organization Event Sign and a second application is timely received by the City. However, other groups that have timely applied for placard space shall be given priority over groups applying for a second consecutive twenty-one (21) day period of advertising. If any consecutive twenty-one (21) day time period is granted by the City, the second twenty-one (21) day time period shall count towards the number of times that the group is permitted to advertise within a six (6) month period.</p>
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Sec. 6-263. Definitions.

Athletic Field Sign. A sign located on or adjacent to an athletic field, and facing the athletic field, which is used to display the names of teams, scores and/or information relating to an athletic event.

Attached Sign. Any sign attached to, applied on, or supported by any part of a building located on premises.

Awning Sign. A permanent sign that is directly applied attached or painted onto an awning, which is a projection, shelter or structure of canvas, metal, wood, or other similar approved material that covers a pedestrian walkway and is intended for protection from the weather or as a decorative architectural feature.

Banner Sign. A temporary sign made of cloth, canvas or other light fabric.

Billboard. An off-premises sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

Buildable Area. The portion of a lot excluding the setbacks required by the zoning ordinance and any easements, wetlands, and other environmentally sensitive areas.

Building. Any structure that has a roof supported by columns or walls for the shelter, support, or enclosure intended for persons, animals or material goods for any use or occupancy. When separated by dividing walls without openings in a manner sufficient to prevent the spread of fire, each portion of such structure so separated may be deemed a separate building.

Chief Building Official. The Chief Building Official, designee, or other City authorized agent appointed by the City Manager.

Changeable Electronic Message/Reader Board Component or Sign. A sign or portion of a sign designed to allow advertising or wording to be changed at periodic intervals, either manually or electronically and is operated whereby light is turned on and off intermittently, including any illuminated sign on which such illumination is not kept stationary or constant in intensity and color at all times when such sign is in use, including a light emitting diode (“LED”) or digital sign, and which varies in intensity or color. A term “changeable electronic message/reader board sign” does not include a sign located within the right-of-way that functions as a traffic control device and that is described and identified in the Manual on Uniform Traffic Control Devices approved by the Federal Highway Administrator as the National Standard.

Commercial Sign. Any sign utilized for the purpose of benefiting a not-for-profit or for-profit enterprise, person or activity and/or advertising the sale of a product, good or service, or other similar venture for the purposes of economic gain.

Dilapidated. Any surface element, background, panels, or support of any sign that has finished materials that are missing, broken, bent, cracked, decayed, dented, harmful, hazardous, illegible, leaning, splintered, ripped, torn, twisted, or unsightly. Dilapidated is further defined as when the

sign or its elements are not in compliance with the requirements of the National Electrical Code and/or the International Building Code currently adopted by the City.

Directional Sign. A sign that directs vehicular or pedestrian movement on the premises or property, such as but not limited to: entrance, exit, or overhead clearance and which does not advertise the name of the establishment.

Effective Sign Area Measurement. The entire advertising area of a sign excluding any framing, trim, or moulding and the supporting structure.

Erect. To build, construct, attach, hang, place, suspend, or affix.

Facade. That portion of any exterior elevation on the building extending from grade to top of the parapet, wall, eaves and the entire width of the building elevation.

Flag. A piece of fabric or other approved flexible material attached to a support staff on one end used as a symbol of a nation, state, political subdivision, corporation, or organization.

Garage Sale Sign. Any sign that directs or draws attention to a sale by a resident of a home or group of residents for the purpose of selling primarily household goods to the general public on a limited (not continual) basis.

Governmental Sign. Any sign erected or maintained pursuant to and/or in discharge of any governmental function, required by law, ordinance, or governmental regulation; or located on property owned, leased, or under the control of the federal, state or local government.

Hanging Sign. A freestanding sign supported by an extended arm of a single post with the top edge of the sign face not exceeding eight (8) feet above the grade level (see also Projecting Sign).

Historic or Memorial Plaque. A commemorative sign of recognized historical societies and/or organizations.

Identification Sign. A sign giving the nature, logo, trademark, or address, or any combination of the above, of a building, business, development or establishment on the premises where it is located.

Illuminated Sign. Any sign which has characters, letters, figures, or designs illuminated by electric lights, luminous tubes, LED, or other means that are specifically placed to draw attention to or to provide nighttime viewing of the subject matter on the sign.

Inflatable Sign. A sign manufactured of plastic, cloth, canvas or other flexible or light fabric, inflated with air, secured to the ground or roof of a building and does not float or hover.

Legal, Nonconforming Sign. A sign lawfully constructed prior to the adoption of the current ordinance and continuously maintained, but that does not comply with the current ordinance.

Logo. Any design, insignia or other marks which is used in advertising to identify a company, business or product.

Lightpost Banner. A fabric sign, attached to a traffic, signal, utility or light pole that is not commercial in nature, but rather identifies or announces a place, event or season.

Mailboxes and/or Newspaper Rack Sign. Any sign located on mailboxes, newspaper vending machines and/or curbside residential newspaper holders which identify the owner and address of the premises and/or the name of the newspaper sold or subscribed to.

Marquee Sign. A sign designed to have changeable copy that can be changed either manually or electronically (see also Electronic Reader Board sign).

Menu Board Sign. A sign that designed to display the menu of a restaurant and its prices used in conjunction with a drive-thru or drive-in and generally used to provide service and/or product options and pricing for patrons who remain in a vehicle.

Monument Sign. A sign permanently placed upon, or supported by the ground independent of the principal building or structure on the property.

Multi-Tenant Commercial Development. A building or group of buildings including, but not limited to, shopping centers and office parks, constructed and managed as a total entity with customer and employee parking provided on-site.

Nuisance Sign. A sign that is illegally placed in or on areas prohibited by the sign ordinance, including rights-of-way, medians, utility poles, traffic signs, light poles. Such sign may advertise websites, door-to-door product sales, and other businesses that may be run as a home business.

Off-Premises Sign. A sign that advertises, promotes, or pertains to a business, person, organization, activity, event, place, service, product, etc. at a location other than where the sign is located.

Open House Sign. Any sign that directs or draws attention to a sales event at a particular home whereby said home is open to the public for viewing for the purposes of a subsequent sale of said home.

Organization Event Sign. An Organization Event Sign is defined as a sign used to advertise an infrequent special event outside of normal activities which is likely to attract visitors, and is an opportunity for leisure, social or cultural experiences by attendees. To qualify for advertisement of such an event on City signs, the hosting group shall meet one of the following criteria:

- (a) A group that is co-sponsored or has a contractual agreement with the City of The Colony and has a not-for-profit status;
- (b) A group that is co-sponsored or has a contractual agreement with the City of The Colony and is a for-profit entity, but is advertising only for a special event outside of normal commercial activity; or
- (c) A group that is not co-sponsored and/or does not have a contractual agreement with the City of The Colony, but has a not-for-profit status.

Such special events may include, but are not limited to, any public amusement or event that will take place on a public right-of-way, exhibitions, automobile shows, tournaments, running events, festivals, carnivals, air shows, group garage sales, outdoor shows/concerts, craft fairs, block parties, parades and religious events.

Due to space limitations, qualifying for use on City signs does not guarantee placement on any or all of the signs. City Staff will assign placement of individual event placards to sign locations on a first-come, first-serve basis.

Placard for Organization Event Signs. A placard is a removable sign that is designed to fit in the permanent Organization Event Signs that are placed by the City in the rights-of-way within the City of The Colony. Such placards shall be 11½ inches in height and 48 inches wide and made of a pliable magnetic material suitable for the design specifications of the Organization Event Signs.

Person. Any individual, firm, partnership, corporation, company, limited liability company, organization, business or other entity of any kind.

Pole Sign. Any sign that is constructed on a vertical framework consisting of one (1) upright support secured in the ground.

Political Sign. A temporary sign announcing or supporting political candidates or issues in connection with a national, state or local election.

Portable Sign. Any sign designed or intended to be relocated, whether or not it is currently attached to a building or structure or is located on the ground.

Premises. A lot, parcel, tract, or plot of land together with the buildings and structures thereon.

Private Traffic Control Sign. Any on-premises sign that directs the movement of traffic on private property or warns of obstacles or overhead clearances, including, but not limited to, entrance and exit signs.

Projecting Sign. A sign that is wholly or partially dependent upon a building for support and extends more than twelve (12) inches from said building.

Property Sale or Lease Sign. Any sign that advertises property for sale or lease. May refer to vacant land or to developed property.

Pylon Sign. A freestanding sign that has two (2) or more supports and is permanently affixed to the ground by such supports, but not having the appearance of a solid base.

Railway Sign. Any sign within or on railway property and placed or maintained in reference to the operation of such railway.

Residential Fence Sign. Any sign affixed to a residence that displays the address numbers and/or warning or directional signs pertaining only to that residence.

Residential Holiday Sign. Any sign containing only holiday messages with no commercial advertising.

Roof Sign. A sign mounted on and supported by the roof portion of a building or above the uppermost edge of a parapet wall and is supported by the building, or a sign that is painted directly to the roof or top of a building. A sign that is mounted onto mansard facades shall not be considered a roof sign.

Searchlight Sign. Any use of lighting intended to attract the general public by the waving or moving of light beams.

School Affiliation Sign. Any sign that designates participation or support for a school or school activity and is placed on individual residences located within residential zoning districts.

Sign. Any form of publicity or advertising which directs attention to an individual, business, commodity, service, activity, or product, by means of words, figures, numerals, emblems, devices, trade names, or trademarks, or other pictorial matter that communicates information of any kind to the public.

Sign/Placard on Persons. Any hand-carried or held sign, symbol or display on persons.

Special Event Sign. Any free-standing sign specifically announcing one (1) special event held within the corporate city limits of the City of The Colony sponsored by a civic, non-profit, or philanthropic organization.

Subdivision Entry Sign. Any sign mounted to a screening wall or engraved into a masonry facade that identifies a development and generally refers to the platted name of a subdivision or planned development.

Sign on Outdoor Machines, Devices and Equipment. Any sign located on an outdoor machine, device, or equipment which displays the trademark, trade name, manufacturer, cost, operating or service instructions, or similar information, but not advertising the business where said equipment is located. These signs may include, but are not limited to, coin-operated vending machines, fuel dispensing pumps, telephone facilities, automatic teller machines, automotive vacuum cleaners, amusement rides, and similar machines, devices, or equipment.

Total Sign Area. The effective sign area plus any base or support structure.

Temporary Sign. Any sign intended for display for a limited period of time and that is designated with a time frame as referenced in Section 6-260. (Specific Sign Criteria).

Temporary Nuisance Sign. Any temporary sign placed in the public right-of-way and/or on public property that is not otherwise expressly allowed to be located within the public right-of-way and/or on public property, pursuant to this Section.

Utility Sign. Any sign marking utility or underground communication or transmission lines.

Vehicular Sign. Any symbol, wording, and/or graphic painted on or attached to a vehicle, where said vehicle is placed in view of the traveling public so that its primary function is to have the effect of a stationary or monument sign, unless said vehicle is used in the normal day-to-day operation of the business. A vehicular sign for the purpose of this ordinance does not include any sign that identifies a vehicle used for a business which advertises only the company name, address and phone number.

Visibility Triangle. Twenty (20) feet measured from any intersection back in both directions and the diagonal line that would connect the two perpendicular lines. This area shall be kept free of all structures, signs, landscaping or anything that may interfere with the safe operations of a vehicle.

Wall Sign. A sign affixed to or painted on an exterior wall.

Wayfinding Sign. A sign erected by a governmental entity that indicates the general direction to a civic place, such as a park, school or civic center; or a sign that indicates the presence of various civic or philanthropic groups within the city, such as the Lions Club or Kiwanis Club. Such sign is typically part of an overall city theme which promotes and supports tourism.

Wind Device. Any pennant flag, streamer, feather sign, spinner, balloon, or similar devices made of cloth, canvas, plastic, or any flexible material designed to float or move freely. Flags, inflatable signs, and banners shall not be considered a wind device.

Secs. 6-264 -6-269. Reserved.”