

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MANSFIELD, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF MANSFIELD, TEXAS AS HERETOFORE AMENDED BY AMENDING SECTION SECTION 7100, "SIGN STANDARDS," OF SAID ORDINANCE TO ESTABLISH NEW REGULATIONS FOR TEMPORARY REALTOR OPEN HOUSE DIRECTIONAL SIGNS AND HUMAN SIGNS; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Mansfield, Texas, in compliance with the laws of the State of Texas with reference to the amendment of the Comprehensive Zoning Ordinance of the City of Mansfield, Texas (hereinafter "the Zoning Ordinance"), have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing opportunity to all property owners generally and to all interested citizens, the governing body of the City is of the opinion and finds that the Comprehensive Zoning Ordinance should be amended;

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

SECTION 1.

That Section 7100.C.2 of the Zoning Ordinance is hereby amended by adding new definitions to read as follows:

- cc. Human Sign:** A sign held by or attached to a human being who stands or walks on the ground at a business or other location. A human sign includes a person dressed in a costume for the purpose of advertising or otherwise drawing attention to an individual, business, commodity, service, activity, or product.
- dd. Temporary Realtor Open House Directional Sign:** A temporary sign used for directing realtors and potential homebuyers to homuses for sale within the City which are open for public viewing."

SECTION 2.

That Section 7100.K of the Zoning Ordinance is hereby amended by adding a new sub-section 15 to read as follows:

"15. Temporary Realtor Open House Directional Signs

- a. Temporary realtor open house directional signs must be no larger than twenty-four (24) inches by eighteen (18) inches in size (three square feet) and cannot be higher than three (3) feet above grade. Sign must not be placed

closer than thirty (30) feet from an intersection, measured from the edge of the right-of-way line along any street, and must not be placed in the median. Signs must not be placed any closer than three (3) feet from the back of the curb or from the edge of the pavement.

- b. These signs must not obstruct the vision of traffic on the roadway. Any signs determined to be in a location that causes an immediate hazard to public safety may be immediately removed by the city.
- c. Signs must only direct traffic to properties located within the city limits.
- d. The sign must contain the words "open" or "open house," as well as a directional arrow. The signs must contain the name of the realty company, the name of the listing agent and a current phone number (cell phone) in a font size and manner that is smaller and less prominent than the "open," "open house" and directional information.
- e. No more than four (4) of these signs shall be posted for each address, including a sign on the property at which the open house is being held.
- f. These signs must be kept in good repair. These signs must be made of metal and/or plastic. These signs must not be made of wood or paper. These signs must be self-supporting and placed into the ground. These signs must not be placed on a utility pole, streetlight pole, sign pole, fence, tree, or any other manmade or natural feature. These signs must not be illuminated.
- g. Placement of these signs shall only be allowed on Fridays, Saturdays, Sundays and City holidays, and shall be removed no later than two (2) hours after the open house event. For the purpose of this subsection, a city holiday is any day recognized as an official holiday by the City of Mansfield. The list of official holidays observed by the City of Mansfield shall be maintained for public viewing on the City's official website."

SECTION 3.

That Section 7100.L.1 of the Zoning Ordinance is hereby amended by revising Paragraph 1 to read as follows:

- "1. Any sign, including a human sign, which is not included under the types of signs permitted in Section 7100.D or in Section 7100.J.

SECTION 4.

That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby, repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5.

Should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof, other than the part so declared to be invalid, illegal or unconstitutional, and shall not affect the validity of the Zoning Ordinance as a whole.

SECTION 6.

Any person, firm or corporation violating any of the provisions of this ordinance or the Zoning Ordinance, as amended hereby, shall be deemed guilty of a misdemeanor and, upon conviction in the Municipal Court of the City of Mansfield, Texas, shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense, and each and every day any such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7.

This ordinance shall take effect immediately from and after its passage on third and final reading and the publication of the caption, as the law and charter in such cases provide.

First reading approved on the _____ day of _____, 2017.

Second reading approved on the _____ day of _____, 2017.

DULY PASSED on the third and final reading by the City Council of the City of Mansfield, Texas, this _____ day of _____, 2017.

David L. Cook, Mayor

ATTEST:

Jeanne Heard, City Secretary

APPROVED AS TO FORM AND LEGALITY

Allen Taylor, City Attorney