

ORDINANCE NO. 1081

AN ORDINANCE AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF HILL COUNTRY VILLAGE TO ADD NEW DEFINITIONS AND TO REVISE PROVISIONS TO PERMIT AND REGULATE ELECTRONIC SIGNS

WHEREAS, Chapter 50 of the Code of Ordinances of the City of Hill Country Village covers matters relating to signs; and

WHEREAS, the City Council of the City of Hill Country Village desires to amend Chapter 50 of the Code of Ordinances to add new definitions and to revise provisions as to electronic signs to permit electronic signs under certain conditions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HILL COUNTRY VILLAGE, TEXAS, that:

Section 1. The following definitions are hereby added to Section 50.1 of Chapter 50 of the Code of Ordinances:

Digital Display-on-premises shall mean an on-premises sign face that may display changing content through still images on a fixed display composed of electronically illuminated segments and/or a series of grid lights, including cathode ray, light emitting diode (LED) display, plasma screen, liquid crystal display (LCD), fiber optic, video boards, or other electronic media or technology. A sign is considered to be "on premises" if the sign is on the location of the business which is advertised or promoted on the sign. Digital display does not include scrolling images, moving or flashing images, videos, or animation.

Electronic sign shall mean a digital display-on premises sign.

Flashing shall mean a pattern of changing light illumination where the sign illumination alternates suddenly between fully illuminated and fully non-illuminated, inverse illuminated, or operates with transitory bursts for periods of less than one second. Flashing shall include blinking, strobing, twinkling, and revolving beams or beacons of light.

Foot candle shall mean a unit of light measurement equal to one lumen per square foot and may be abbreviated "fc."

Message duration shall mean the length of time a particular message or image is displayed.

NIT shall mean a unit of illuminative brightness equal to one candle per square meter, measured perpendicular to the rays of the source.

Transition time shall mean the interval of change between each individual message.

Section 2. Section 50-6 of the Code of Ordinances of the City of Hill Country Village is hereby amended to add the following at the end of the current text:

The fee for filing an application for an electronic sign is set at \$100 per sign face. An application for an electronic sign will not be considered complete unless it is accompanied by a signed statement certifying that the sign to be installed complies with all ordinances of the City of Hill Country Village.

Section 3. Section 50-9 of the Code of Ordinances of the City of Hill Country Village is hereby amended to change the caption from "Prohibited signs" to "Electronic signs" and to read as follows:

Section 50-9 - Electronic signs. Digital display-on premises signs are permitted in the B-1, B-2, or B-3 zoned districts provided that such signs comply with all requirements in Section 50-10(5) of the Code of Ordinances. Electronic signs that advertise or promote businesses, products, activities, services, or events not located on the premises where the electronic sign is located are prohibited.

Section 4. Section 50-10 of the Code of Ordinances of the City of Hill Country Village is hereby amended by the addition of the following subpart (5):

(5) *Electronic signs.*

- a. The only electronic signs allowed are Digital Display-on premises signs.
- b. Only one electronic sign may be located on a lot but a lot may have an electronic sign and a non-electronic sign that are combined in one cabinet at one location (on a pole, monument, or building) provided that the total square footage of all signage on a lot complies with all signage ordinances of the City of Hill Country Village.
- c. No electronic sign may be located within 25 feet of a side lot line.
- d. Any electronic sign mounted on a pole or monument must be located within 25 feet of the San Pedro/Highway 281 access road curb.
- e. Brightness. An electronic sign shall not be excessively intense or brilliant. An electronic sign shall not display light of such intensity or brilliance as to cause glare or otherwise impair the vision of the driver of a motor vehicle on a public roadway or result in a nuisance to the driver of a motor vehicle on a public roadway. An electronic sign that exceeds the intensity levels on the Intensity Table 1 in Section 50-10 subpart (6) of the Code of Ordinances shall constitute an excessively intense or brilliant sign and such sign is prohibited.
- f. Message duration shall be greater than or equal to 30 seconds.

- g. Transition time shall be no more than 2 seconds.
- h. Screening for light overhang shall be installed such that electronic sign images are not visible from a residence in the R-1 or R-2 zoned districts.
- i. The use of sound is prohibited.
- j. Signs may not be constructed so as to obstruct the view of drivers of motor vehicles on a public roadway or entering a public roadway or entering a public roadway.
- k. Signs may not encroach on or project over public property or a public right-of-way
- l. Portable electronic signs are prohibited.
- m. No electronic sign may resemble or simulate any warning signal or any traffic lights or official traffic control signage as described in the 2003 Manual on Uniform Traffic Control Devices with Revision No. 1 published by the Federal Highway Administration.

Section 5. Section 50-10 of the Code of Ordinances of the City of Hill Country Village is hereby amended by the addition of the following subpart (6), to read as follows:

(6) *Brightness and intensity of electronic signs*

- a. Light intensity of an electronic sign exceeding the intensity levels in Intensity Table 1 constitutes excessive intensity or brilliance.

INTENSITY TABLE 1
Intensity Levels (NITS)

Color	Daytime	Nighttime
Red only	3,150	1,125
Green Only	6,300	2,250
Amber Only	4,690	1,675
Full Color	7,000	2,500

- b. Prior to the issuance of a permit for an electronic sign, the applicant shall provide written certification from the sign manufacturer stating that the light intensity of the sign has been factory pre-set not to exceed 7,000 NITS and that the intensity level is protected from end-user manipulation by password-protected software or other method as deemed acceptable to the City.
- c. All digital displays shall be illuminated at a level no greater than 0.3 foot candles over ambient light levels and shall employ light cut-off devices such as, but not limited

to, louvers, in order to minimize light escaping above the horizontal plain. Foot candle readings shall be measured at ground level at the distances shown in Intensity Table 2.

INTENSITY TABLE 2

Sign Size (square feet)	Distance from Source
0 to 100	100 feet
101-350	150 feet
351 to 650	200 feet
Over 650	250 feet

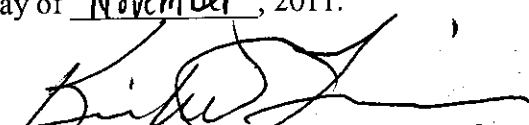
d. Notwithstanding the requirements of subpart (6)(c) above, under no circumstances shall the light emanation from a Digital Display sign be greater than 0.3 foot candles as measured from the nearest residential property line.

e. A digital display sign must be equipped with both a dimmer control and a photo cell which automatically adjusts the display intensity according to natural ambient light conditions.

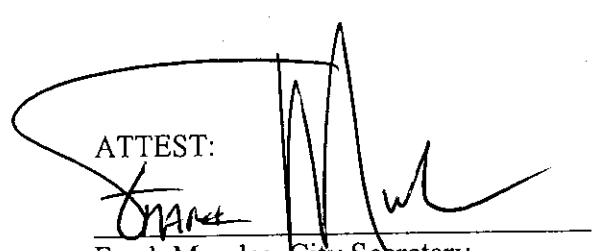
f. The digital display shall contain a default mechanism to turn the sign off in case of malfunction or shall be manually turned off within 24 hours of a reported malfunction.

Section 6. This ordinance shall be effective upon passage and adoption.

PASSED AND APPROVED the 17th day of November, 2011.


Kirk W. Francis, Mayor

ATTEST:


Frank Morales, City Secretary