

ORDINANCE NO. 04242014

“AN ORDINANCE ADOPTING RULES AND REGULATIONS FOR THE ERECTION, RECONSTRUCTION, ALTERATION OR REPAIR OF SIGNS WITHIN THE CITY OF THRALL, TEXAS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING CRIMINAL AND CIVIL VIOLATIONS AND PENALTIES; PROVIDING A PENALTY NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE EXCEPT WHERE A DIFFERENT PENALTY HAS BEEN ESTABLISHED BY STATE LAW AND EACH AND EVERY DAY SAID VIOLATION IS CONTINUED SHALL CONSTITUTE A SEPARATE OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR PUBLICATION”

BE IT ORDAINED BY THE CITY OF THRALL:

SECTION 1.0 PURPOSE

The purpose of this ordinance is to establish clear and unambiguous regulations pertaining to signs in the City of Thrall and the City’s Municipal Extraterritorial Jurisdiction, as allowed by Texas Local Government Code, Section 216.902, to promote thereby an attractive community, foster traffic safety, and enhance the effective communication and exchange of ideas and commercial information. The City Commission of the City of Thrall hereby finds the following legislative facts:

1. The proliferation of signs creates commercial confusion and makes it difficult for travelers and motorists to locate the goods and services they seek.

2. The increasing height of signs within the City is an endless battle for a higher and more visible sign, and a reasonable limitation on the height of signs is necessary to prevent visual pollution, potential windstorm damage, injury or death.
3. Excessive height in signs creates clutter and is unsightly and offensive to the members of this Commission and many, if not most, of the citizens in Thrall. The establishment of a reasonable maximum height for signs will allow effective communication, prevent attitude competition, and will not penalize smaller business concerns which may not be able to compete for aerial superiority.
4. Reasonable provisions pertaining to size, scale, location, design, lighting, permanency, and maintenance are necessary to avoid visual clutter, preserve and improve the appearance and character of the community, to avoid traffic problems caused by distracting signs or structures in close proximity to streets, which compete with traffic signs and signals for the attention of motorists, and to prevent deterioration, disregard, and abandonment of signs or structures.

This section will complement the provision of the Federal Highway Beautification Act of 1972.

The Commission recognizes that signs are necessary for visual communication for public convenience, and that businesses and other activities have the right to identify themselves by using signs which are incidental to the use on the premises where the signs are located. The City Commission herein seeks to provide a reasonable balance between the right of a person to identify his or her business or activity, and the rights of the public to be protected against visual discord and safety hazards that result from the unrestricted proliferation, location and construction of signs. This section will insure that signs are

compatible with adjacent land uses and with the total visual environment of the community, in accordance with the City's comprehensive plan for zoning and land use.

The City Commission finds that the rights of residents of this City to fully exercise their rights of free speech by the use of signs containing non-commercial messages are subject to minimum regulation regarding structural safety and setbacks for purposes of traffic protection. The Commission seeks herein to provide for the reasonably prompt removal and disposal of such signs after they have served their purpose, and yet to avoid any interference with First Amendment freedoms, especially as to persons who are of limited financial means.

Instances may occur in the application of this ordinance where strict enforcement would deprive a person of the reasonable use of a sign, or the reasonable utilization of a sign in connection with other related property rights, and herein provides for such persons to have the right to seek variances from the requirements of this chapter for good cause. It is imperative that enforcement officials apply this ordinance as it is written, in the interest of equality and fair and impartial application to all persons, and that the use of the variance procedure shall remain the sole administrative means to obtain any exception to the terms hereof.

SECTION 2.0 DEFINITIONS

SIGN means any written or graphic representation, decoration, form, emblem, trademark, flag, banner, or other feature or device of similar character which is used for the communication of commercial information, or communication of ideas or subjects of political significance, and which:

1. Is a structure or any part thereof, including the roof or wall of a building, or a free standing wall or fence;
2. Is written, printed, projected, painted, constructed or otherwise placed or displayed upon or designed into a building, board, plate, canopy, awning or vehicle, or upon any material, object or device whatsoever; and
3. By reason of its form, color, wording, symbol design, illumination or motion attracts or is designed to attract attention to the subject thereof, or is used as a means of identification, advertisement or announcement.
4. A sign shall be considered to be a single display surface, a double-faced display surface, or display device containing elements clearly organized, related and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign; provided, however, that the display of merchandise through glass windows in any zone where such merchandise may be sold in the ordinary course of business shall not constitute a sign or signs.

APARTMENT/CONDOMINIUM/MOBILE HOME PARK IDENTIFICATION SIGN –
An attached sign or a freestanding sign with permanent foundation or moorings, designed for identification of a multi-family residential project or a mobile home park project, and where adequate provision is made for permanent maintenance hereunder.

AREA IDENTIFICATION SIGN – A freestanding or wall sign with permanent foundation or moorings, designed for identification of subdivisions of ten (10) to fifty (50) acres, or identification of a distinct area within a subdivision, and where adequate provision is made for maintenance hereunder.

ATTACHED SIGN – A sign attached to or applied on and totally supported by a part of a building.

BANNER – Temporary sign announcing a special event for a business, i.e., business openings, grand openings, sales or promotion events.

COMMERCIAL SIGN – A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing.

COMMERCIAL PROPERTY - A property used primarily for commercial purposes.

DEVELOPMENT SIGN – A sign announcing a proposed subdivision or a proposed building project.

DIRECTIONAL TRAFFIC CONTROL SIGN – A sign utilized as a traffic control device in off-street parking or access areas.

FLAG/PENNANT – A piece of fabric of distinctive design that is used as a symbol (as of a nation), identification, as a signaling device or as a decoration.

FREESTANDING COMMERCIAL SIGN – A sign supported by one or more columns, poles or bars extended from the ground or from an object on the ground, or that is erected on the ground; the term includes all signs which are not substantially supported by a building or part thereof, or which are substantially supported by a building or part thereof, when the sole significant purpose of the building or part hereof, is to support or constitute the sign.

FUEL PRICE SIGN – A sign used to advertise the current price of fuel at locations where fuel is sold.

HOME OCCUPATION SIGN – A sign used to identify the name and occupation of a person with a legal home occupation.

LOW PROFILE SIGN – A sign with a permanent foundation that is not attached to a building, but is a stand-alone sign and which does not exceed sixty square feet (60 sf) in area and four (4) feet in height.

NON-COMMERCIAL SIGN – A work of art or message which is political, religious, or pertaining to a point of view, expression, opinion, or idea that contains no reference to the

endorsement, advertising of, or promotion of patronage, of a business, commodity, service, entertainment, or attraction that is sold, offered, or existing.

OFF-PREMISE COMMERCIAL SIGN – A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing elsewhere than upon the premises where such sign is displayed.

ON-PREMISE COMMERCIAL SIGN – A sign which directs attention to a business, commodity, service, entertainment, or attraction sold, offered, or existing upon the premises where such sign is displayed. This definition does not include non-commercial signs.

POLITICAL SIGN – Any sign which promotes a candidate for any public office or which advocates a position on any social issue as its primary purpose. Political signs shall be considered in the category of non-commercial signs except where there are regulations pertaining to their removal after an election.

PORTABLE SIGN – A sign which is not affixed or attached to real property by poles, stakes or other members which are placed into the ground, or upon some other type of permanent foundation; trailer signs, any sign with wheels or skids, and any sign which is constructed so as to sit upon the surface of the ground, without subsurface attachment or extension.

PREMISES – An area of land planned and designed as a single comprehensive project, considered from the time the plan is first submitted to the Planning Department either as plat stage or site plan stage.

REAL ESTATE, FINANCE and CONSTRUCTION SIGN – An attached or freestanding sign erected upon a lot or parcel of land for the purpose of advertising same for sale or lease, or advertising the furnishing of interim or permanent financing for a project, or for the furnishing of labor, materials or the practice of crafts on the job site.

ROOF SIGN – An outdoor advertising display sign erected, constructed, or maintained on the roof of a building or which is wholly dependent upon a building for support, and which projects above the point of a building with a flat roof, six feet above the eave line of a building with a shed, gambrel, gable or hip roof or the deck line of a building with a mansard roof. See illustrations at the end of this ordinance.

SUBDIVISION IDENTIFICATION SIGN – A freestanding or wall sign with permanent concrete foundation or moorings, designed for permanent identification of a subdivision of greater than fifty (50) acres, and where adequate provision is made for permanent maintenance hereunder.

SECTION 3.0 GENERAL PROVISIONS

3.1 Building Permits

A permit shall be required for the following types of signs:

- Subdivision and Area Identification Signs
- Apartment/Condominium/Mobile Home Park Identification Signs
- Roof Signs
- Freestanding Commercial Sign
- Attached Signs
- Fuel Price Signs

Permits shall be issued by the Building Official upon receipt of a properly completed application which demonstrates that the applicant's request is in accordance with the provisions of this section and the City's Building Code. The fee for such permits shall be established by the City Commission from time to time by ordinance.

No permit shall be required for the following signs:

- Directional Traffic Control Signs
- Real Estate, Finance and Construction Signs
- Non-Commercial Signs: Political Signs

3.2 Subdivision And Area Identification Sign

Area Identification signs shall be permitted upon private property in any zone to identify subdivisions of ten (10) to fifty (50) acres in size and subject to the requirements set forth in Table 1. Area Identification signs may also be used within a large subdivision to identify distinct areas within that subdivision, subject to the requirements in table 1.

Subdivision signs shall be permitted upon private property in any zone to identify subdivisions of greater than fifty (50) acres, subject to the requirement set forth in Table 1.

Both area identification and subdivision signs must be located on the premises as identified by a site plan or survey of the subdivision. Subdivision signs will be permitted only at major intersections on the perimeter of the subdivision (intersection of two collector or larger streets). At each intersection either one or two subdivision signs may be permitted so long as the total area of the signs does not exceed one hundred fifty (150) square feet. Banners or flags may be utilized as subdivision identification signs but the overall height shall not exceed thirty-five (35) feet.

Indirect lighting is permissible but no optical effects, moving parts or alternating, erratic or flashing lights shall be permitted. Landscaping shall be installed around each subdivision sign. Adequate arrangements for permanent maintenance of all signs and any landscaping in conjunction with such signs shall be made, which may be through an owners association if one exists or is created for this purpose.

3.3 Apartment/Condominium/Manufactured Home Park Identification Sign

An apartment/condominium/manufactured home park identification sign may be either an attached sign or a freestanding sign. It shall be placed upon the private property of a particular multi-family project or manufactured home park in subject to the requirements set forth in Table 1. The apartment/condominium/manufactured home park identification sign shall list the name and facilities available and may have leasing or sales information incorporated as a part of the sign. An apartment or condominium

project must have a minimum of twenty-four (24) dwelling units to qualify for an identification sign. Indirect lighting is permissible, but no optical effects, moving parts, or alternating, erratic or flashing lights or devices shall be permitted. Any manufactured home parks existing at the time of this ordinance that are non-conforming may still utilize an identification sign meeting the provisions of this section and Table 1.

3.4 Development Sign

A development sign may be placed only on private property subject to the requirements in Table 1. A development sign for a building project shall be removed if the project has not received a building permit at the end of twelve (12) months. The City Commission may renew the sign permit for one additional twelve (12) month period upon request. Once a building permit for the project is received, the sign may stay in place until seventy-five (75%) percent of the project is leased or a permanent sign is installed, whichever comes first.

A development sign for a proposed subdivision shall be removed if a preliminary or final plat has not been approved by the end of twelve (12) months. The City Commission may renew the sign permit for one additional twelve (12) month period upon request. Once a plat has been approved, the sign permit is valid as long as a preliminary plat is in effect, or in the absence of a valid preliminary plat, for twenty-four (24) months from the date of approval of a final plat.

3.5 Portable Signs

Portable signs are not permitted within the city limits of the City of Thrall.

3.6 Real Estate/Finance/Construction Signs

One real estate sign not exceeding sixteen (16) square feet in total area (exclusive of stakes and posts) may be erected at any time while a property is offered for sale or lease to the public. Properties with a minimum of one hundred fifty (150) feet of frontage shall be allowed one real estate sign not exceeding thirty-two (32) square feet in total area. Properties with a minimum of two (2) acres and frontage on two streets shall be allowed one real estate sign on each frontage street with the area of the sign to be determined by the amount of frontage as stated above.

One finance sign and three construction signs (for a total of four signs), not exceeding sixteen (16) square feet in total area each (exclusive of stakes and posts) may be erected once a building permit has been issued on a property. Properties with a minimum of ten (10) acres and one thousand (1,000) feet of frontage shall be allowed one finance sign and three construction signs not exceeding thirty-two (32) square feet in total area each.

Real estate, finance and construction signs may be either attached or freestanding and only those visible from the street are limited in number (see Exempt Signs Section 3.16*****).

All such signs shall be maintained by the persons in control of the premises so as to remain erect and in good repair. Such signs shall be removed by the property owner or other person in control of the premises if they are damaged, broken or incapable of remaining erect.

Such signs must be removed by the owner or person in control of the premises when either the property has sold or been leased and/or when performance under the construction contract or subcontract (in the case of construction signs) has been completed. In all cases, financing and construction signs shall be removed prior to issuance of a certificate of occupancy.

3.7 Non-Commercial Signs: Political Signs

This section does not regulate the size, content or location of non-commercial signs, political signs except as follows:

1. No commercial message shall be shown on any non-commercial sign.
2. No non-commercial sign:
 - a. May be located within public road right-of-way of the State of Texas; or
 - b. May be located off the premises of the property owner who is displaying the sign; or
 - c. May exceed the restrictions set forth in Table 2; or
 - d. Where determined by the City Manger or his designate as a location that would hinder intersection visibility.
 - e. May be located within the City right-of-way adjacent to undeveloped property.

This provision is necessary to avoid clutter, proliferation, and dangerous distraction to drivers caused by close proximity of such signs to automobile traffic, to avoid damage to automobiles which may leave the paved surface intentionally or by

accident, and to avoid the necessity for pedestrians to step into the roadway to bypass such signs. No regulatory alternative exists to accomplish this police power obligation.

In the event that any political sign is located in a public right-of-way of the State, it shall be removed by the City.

All political signs shall be removed within ten (10) days after the election.

3.8 Roof Signs

Roof signs shall be regulated as freestanding signs.

3.9 Freestanding Commercial Signs

Freestanding commercial signs are allowed only on developed commercial property. A premise with less than seventy-five (75) feet of frontage shall be allowed to use one low profile sign. A premise with more than seventy-five (75) feet of frontage shall be allowed to use Table 2 standards for one freestanding sign rather than one low profile sign.

A premise with more than one hundred fifty (150) feet of frontage shall be allowed to use Table 2 standards for one freestanding sign or any number of low profile signs as long as there is a minimum separation between signs of one hundred fifty (150) feet.

Premises with less than seventy-five (75) feet of frontage may be combined in order to utilize signage corresponding to the resulting frontage as described in the preceding two paragraphs.

The sign applicant may elect the frontage street where two streets at the corner are classified the same on the thoroughfare plan. If on two differently classified streets, then the greater shall be considered the frontage street.

No more than one freestanding sign shall be allowed on any premises except when all of the following conditions are met:

1. The site must be a commercial property.
2. The site must be twenty-five (25) acres or more in area.
3. The site must have one thousand (1,000) feet (or more) of continuous unsubdivided frontage on any major arterial street (as classified in the thoroughfare plan) toward which one additional freestanding sign is to be displayed.

Balloons or gas-filled objects may be used for display or advertising for special events with no required permit. Maximum height thirty-five (35) feet. One use allowed for three days maximum time per premise per thirty (30) day period.

3.13 Attached Signs

Attached signs are commercial signs under this section. An attached sign shall advertise only the name of, uses of, or goods or services available within the building to which the sign is attached.

3.14 Flags

One freestanding corporate flag per premise, not to exceed thirty-five (35) feet in height or one hundred (100) square feet in area is allowed in multi-family, commercial, and industrial zones or developments.

3.15 Prohibited Signs

The following signs shall be prohibited in the City of Thrall:

1. Billboards
2. Portable and Trailer Signs
3. Off premise signs, both commercial and non-commercial, except on City of Thrall property where there has been a determination and minute order of the City of Thrall City Commission which finds that the display of the sign does as follows:
 - a. promotes a positive image of the City of Thrall for the attraction of business or business or tourism; and
 - b. depicts an accomplishment of an individual or group; and
 - c. creates a positive community spirit.

Upon such order, the City of Thrall can authorize, upon approved construction plans, the following:

- a. a sign on a City of Thrall water tower; or
- b. an entrance sign to be located on City of Thrall property such that it is visible from the Highway 79; or
- c. a sign to be located on City rights-of-way.

Said sign shall be displayed for a period ordered by the City Commission or as may be decided by it from time to time.

4. Signs painted on rooftops.
5. Flags/pennants containing copy or logo, excluding the flags of any country, state, city or school, are prohibited in residential zones and on any residentially developed property (except when flags are used as subdivision signs). Flags/banners as described in Section 3.14 will be permitted.
6. Signs and displays with flashing, blinking or traveling lights, or erratic or other moving parts, either internal or external to the premise, and oriented and visible to vehicular traffic, provided that time and temperature signs are permissible if the maximum area and setback requirements of this section are met and if the commercial information or content of such signs is restricted to no more than eight (8) square feet.
7. Any signs which are intended to or designed to resemble traffic signs or signals and bear such words as "stop", "slow", "caution", "danger", "warning", or other words, and which are erected for purposes other than actual traffic control or warning to the public.
8. Any sign which emits sound, odor or visible matter.
9. Banners are prohibited in residential zones and on any residentially zoned property. Banners will be treated as attached or freestanding signs, exempt from fees, as applicable, when used on commercial or industrial

properties. Permit valid for forty-five (45) days with a one time forty-five (45) day renewal.

10. Home occupation signs.

3.16 Exempt Signs

The following signs are exempt from the requirements of this ordinance:

1. Signs that are not easily read from beyond the boundaries of the lot or parcel on which they are located or from any public thoroughfare or traveled right-of-way. Such signs are not exempt from the safety regulations contained herein and in City building and electrical codes.
2. Official notices posted by government officials in the performance of their duties; government signs controlling traffic, regulating public conduct, identifying streets, or warning of danger. (Bulletin boards or identification signs accessory to government buildings or other buildings are subject to the provisions of this chapter.)
3. Temporary signs erected by private property owners for the purpose of warning of a dangerous defect or condition, or other hazard to the public.
4. Non-commercial signs on private property or works of art that in no way identify or advertise a product or business, or by their location and placement impede traffic safety.
5. Temporary decorations or displays, if they are clearly incidental to and are customarily and commonly associated with any national, local or religious celebration.

6. Temporary or permanent signs erected by public utilities or construction companies to warn of the location of pipelines, electrical conduits, or other dangers or conditions in public rights-of-way.
7. Signs that are displayed on motor vehicles that are being operated or stored in the normal course of a business, such as signs indicating the name or the type of business, that are located on moving vans, delivery trucks, trailers and other commercial vehicles; but only if the primary purpose of such vehicles is not for the display of the signs thereon, and only if such vehicles are parked or stored in areas appropriate to their use as commercial or delivery vehicles, such as service areas or locations close to the business building(s) away from public traffic areas.
8. Signs carried by a person and not set on or affixed to the ground.
9. Outdoor advertising display signs for sponsors of charitable events held on public properties. These signs may be displayed for the duration of the event or not more than three (3) days with approval of the Mayor.
10. Flags used as political symbols being the United States and Texas flags only.
11. Security signs at residences or businesses.
12. Flags used solely for decoration and not containing any copy or logo and located only in multi-family, commercial, and industrial districts or developments. In multi-family developments, such flags will be restricted to

twenty-five (25) square feet in area, 30 feet in height, and the number shall be restricted to not more than twelve (12) flags per building spot.

13. Balloons and/or other gas filled objects located in any zoning district; which balloon and/or gas filled object shall not exceed twenty (20) feet in height and shall not contain or display any logo but shall be used solely for decorative purposes.

3.17 Fuel Price Sign

Service stations will be allowed one sign per site, the area of which shall not exceed sixteen (16) square feet and will not be included in the allowable area of any freestanding sign. This sign cannot be located within the right-of-way.

3.18 Structural Requirements

1. A building permit shall be required in addition to any permit under this section, in accordance with the provisions of the Thrall Building Code. The provisions of this ordinance shall control over the provisions of the Building Code only where clearly inconsistent therewith.
2. Abandoned, Damaged, or Unsafe Signs:
 - a. The provisions of this section shall apply when in conflict with the provisions of the Building Code, but where the provisions of both ordinances are not inconsistent, the enforcement of either shall be permissible and remedies or penalties cumulative.

- b. All abandoned signs and their supports shall be removed within sixty (60) days from the date of abandonment. All damaged signs shall be repaired or removed within sixty (60) days. The Director of Community Development shall have authority to grant a thirty (30) day time extension where he determines there is a reasonable necessity for same. Excluding signs deemed historically significant to the property or heritage of the City.
- c. Discontinuance of use or removal of any non-conforming sign or any sign in connection with a non-conforming use shall create a presumption of an intent to abandon said sign. A non-conforming sign that is damaged and not repaired within sixty (60) days shall be presumed to be abandoned.

3.19 Miscellaneous Regulations

No sign shall be placed in a City of Thrall drainage or utility easement unless approval is granted by the City Engineer. Location in an easement shall be subject to a written agreement entered into by all parties involved. Any damage to or relocation of signs located in easements because of the City's use of the easement shall be the responsibility of the owner of the sign. The City, when possible, shall give the owner prior notice of the use of the easement which will affect the sign. This is also applicable to all exempt signs.

Signs may be internally or externally lighted as long as the light is so designed as to be shielded away from adjoining residential premises and does not impair drivers' visibility on adjoining rights of way.

SECTION 4.0 NONCONFORMING SIGN

Within the City and extraterritorial jurisdiction there exists signs which were lawful before this ordinance was enacted, amended or other wise made applicable, but do not now conform to the regulations of this ordinance. It is the intent of this ordinance to permit such nonconforming signs to continue, as long as the conditions within this ordinance are met.

It is further the intent of this ordinance that nonconforming signs shall not be enlarged upon or expanded. However, the content of the signs can change.

If fire, the elements, or some other cause destroys a sign, it may not be rebuilt except to conform to the provisions of this ordinance. In the case of partial destruction of a nonconforming sign which does not exceed fifty (50%) percent of its replacement value, reconstruction will be permitted, but the previously existing square footage of the sign cannot be expanded.

SECTION 5.0 VARIANCES

The Thrall City Commission shall have jurisdiction to hear requests for a variance from the terms of this ordinance. The Board shall be authorized to grant a variance from the terms hereof if, and only if, they find:

1. that the strict enforcement of this section would create a substantial hardship to the applicant, by virtue of unique special conditions not generally found within the City, and
2. that the granting of the variance would preserve the spirit and intent of the Ordinance, and would serve the general interests of the public and the applicant.

SECTION 6.0 FEES

Permits fees are as follows:

- | | |
|---|---------|
| 1. Face Area – Up to and including
twenty (20) square feet | \$20.00 |
| 2. Face Area – Twenty-one (21) square
feet up to and including sixty (60)
square feet | \$40.00 |
| 3. Face area – Sixty-one (61) square
feet and over | \$80.00 |

SECTION 7.0 PENALTY

Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of Thrall, Texas, shall be subject to a fine not to exceed the sum of five hundred (\$500.00) dollars for each offense, except however, where a different penalty has been established by state law for such offense the penalty shall be that fixed by state law, and for any offense which is a violating of any provision of law that governs fire safety,

zoning, or public health and sanitation, including dumping of refuse, the penalty shall be a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day said violation is continued shall constitute a separate offense.

An offense under this ordinance is punishable by a fine not to exceed:

1. Five Hundred Dollars (\$500.00); or
2. The amount fixed by state law if the violation is one for which the state has fixed a fine.

SECTION 8.0 SEVERABILITY CLAUSE

That if any provision of this ordinance or its application to any person or circumstances is held invalid for any reason, the invalidity does not affect any other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this extent the provisions of this ordinance are declared to be severable.

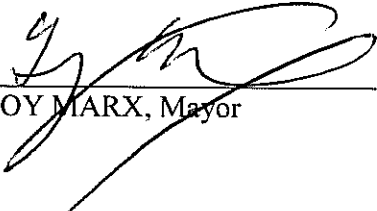
SECTION 9.0 REPEALER CLAUSE

All other ordinances, parts of ordinances or resolutions in conflict with this ordinance are hereby repealed to the extent of any such conflict.

SECTION 10.0 PUBLICATION

The City Secretary is hereby authorized and directed to publish the caption of this ordinance, together with the penalty provision contained therein, in the manner and for the length of time prescribed by law.

PASSED, APPROVED and ADOPTED on this the 24 day of April, 2014.



TROY MARX, Mayor

ATTEST:



Jill Prater, City Secretary