

(c) *Location.* No such space shall be located nearer than fifty (50) feet to any lot in any residential district, unless wholly within a completely enclosed building or unless effectively screened on each side which faces said districts by a wall or opaque fence of not less than seven (7) feet in height.

## ARTICLE XV. SIGNS

### Sec. 17-80. General sign standards.

(a) Sign area shall mean the entire area within a single continuous perimeter enclosing the actual message or display area of a sign and shall include border and trim, but exclude supports.

- (1) Areas of stacked or side-by-side signs shall be added together for total sign area.
- (2) For signs that are back-to-back, only one (1) display face shall be counted in computing sign area.

(b) Sign height shall be measured from ground level at the base of the sign to the highest part of the sign.

(c) Lot frontage shall be the number of linear feet fronting on a public street to which a sign is oriented. On corner lots, the frontage street shall be the greater street as classified on the thoroughfare plan. Where two streets are the same, the sign owner may choose the frontage street.

(d) Building frontage is the front or side portion of a building closest to and most nearly parallel to an abutting street.

(e) All signs shall conform to the regulations and design standards of the Building Code and other ordinances of the City. Wiring of all electrical signs shall conform to the Electric Code of the City.

(f) Illuminated signs shall be designed, located, shielded, and directed to prevent the casting of glare or direct light from artificial illumination upon adjacent public rights-of-way and surrounding properties.

(g) No sign shall be placed in or across a street, alley, or other public right-of-way, drainage easement, or utility easement. Any sign so erected or placed shall be removed by the owner. Any damage to or relocation of signs illegally located in public easements or right-of-way shall be the responsibility of the owner of the sign. Any resulting damages to the traveling public shall be borne by the sign owner.

(h) Whenever a sign is damaged by any cause, is inadequately maintained, or is of faulty construction, it shall be considered a public nuisance and the owner shall be required to repair such sign substantially to its original condition as determined by the Building Inspector, or at the owner's election such sign shall be removed. Procedures for repairing or removing a damaged nonconforming sign shall be the same as for other nonconforming uses as set forth in Article VIII, Nonconforming Uses, of this Zoning Ordinance.

(i) No sign, permanent or temporary, shall be located to block motorist visibility or cause a traffic hazard.

### Sec. 17-81. Maximum sign height.

(a) No freestanding sign shall be constructed to exceed the maximum heights set forth for the various zoning districts as shown in Sec. 17-31, Table 1, Summary of Development Standards. For zoning districts where no maximum building height is specified, freestanding signs shall not exceed thirty (30) feet in height and roof signs shall not exceed ten (10) feet above the roof eaves.

(b) To not interfere with motorists vision, freestanding signs shall have a minimum grade clearance of eight (8) feet and monument signs shall not exceed three (3) feet in height, except these requirements shall not apply to

freestanding or monument signs that are set back at least twenty-five (25) feet from the back of curb or from the edge of street pavement, if no curb exists.

**Sec. 17-82. Permitted signs, maximum areas, and special sign height restrictions.**

(a) *Planned development district.* In a planned development zoning district, sign standards for each planned development shall be specified on the site plan or in the amending ordinance.

(b) *Allowable signs in AO and all residential zoning districts.*

(1) Nameplates. A single nameplate (identifying an on-premise home occupation) shall not exceed two (2) square feet in sign area. Such nameplate may be affixed flat against the building wall or may be a freestanding sign located in the front yard setback if the yard sign does not exceed three (3) feet in height. Only one (1) nameplate shall be allowed per lot frontage of the building site.

(2) Freestanding signs. Permanent freestanding institutional signs (on-premise signs identifying churches, schools and other public service non-profit institutions) and freestanding residential development signs (on-premise signs identifying apartments, manufactured home park or manufactured home subdivisions) shall not exceed forty (40) square feet in sign area. Only one (1) freestanding sign for each institution, apartment complex, or manufactured home park shall be allowed per lot frontage of the building site. A manufactured home subdivision shall be allowed only one (1) sign per major entrance into the subdivision.

(3) Wall signs. Wall signs to identify institutions and apartment complexes shall not exceed forty (40) square feet in sign face area. Only one (1) wall sign shall be allowed per building frontage.

(4) Temporary signs.

a. Real estate signs pertaining to the sale or rental of property on which the sign is placed shall not exceed eight (8) square feet in sign area and shall not exceed three (3) feet in height. Only one real estate sign shall be allowed per lot frontage.

b. Construction and development signs shall not exceed thirty (30) square feet in sign area and shall not exceed ten (10) feet in height.

c. Churches, schools or other institutional signs located in AO or residential areas shall be allowed one (1) portable sign not exceeding forty (40) square feet in sign area.

(c) *Allowable signs in O, LR, SC, C, and I zoning districts.*

(1) Freestanding signs. A permanent freestanding sign identifying an on-premise business or product, or a temporary on-premise sign (real estate, construction, or development sign), shall not exceed one-half (1/2) square foot of sign face area per each linear foot of lot frontage with a maximum sign area of two-hundred (200) square feet. Only one (1) permanent freestanding sign shall be allowed per lot frontage of the building site.

(2) Wall signs. Permanent wall signs identifying on-premise business or products shall not exceed one (1) square foot of sign area per each linear foot of building frontage with a maximum sign face area of one-hundred (100) square feet. Only one (1) wall sign shall be allowed per building frontage.

(d) *Portable signs.* A portable sign is a temporary sign, not affixed or attached to real property, which can be regularly moved from a location at periodic intervals, and which is located upon the premises where the business, profession, activity, commodity, or service referred to by the sign is located. The term "portable sign" also includes a sign mounted on a trailer or wheels or can be towed from one location to another by the use of attached wheels or by attaching an axle to existing mounts, or any sign affixed by a pole or poles to a portable base.

- (1) Zoning districts; spacing standards. A portable sign shall comply with the requirements of the zoning district in which it is located. In addition, no portable sign over twelve (12) square feet in sign area shall be located within one hundred (100) feet of another portable sign over twelve (12) square feet in sign area.
- (2) Sign identification. Portable signs shall permanently display on the sign frame in easily readable form the name, current address, city, zip code and telephone number of the sign owner.
- (3) Sight restrictions. No portable sign, regardless its size, shall be located in such a manner that it creates or causes a sight restriction on any public street, intersection, or private driveway.
- (4) Sign anchoring. All portable signs shall be securely anchored to the ground to resist movement or overturning from the wind or other forces
- (5) Electrical power. Portable signs may be internally or indirectly lighted. The source of electrical power for any portable sign shall be an approved electrical outlet or receptacle with ground fault protection located not more than ten (10) feet from the sign. Power cords or extension cords used for connecting the sign to the electrical source shall not be laid across or over pedestrian or vehicular pathways.

(e) *City/County sponsored signs.* The City of Dalhart, Dallam County or Hartley County may erect signs on public-owned property in any zoning district where there is a determination and approval of the City Council which finds that the display of the sign promotes a positive image of the City or county for the attraction of business or tourism, depicts an accomplishment of an individual or group, and creates a positive community spirit. Upon such order, the City can authorize, upon approved construction plans, a sign on a city water tower, an entrance sign to be located on public-owned property such that it is visible from the major thoroughfare as designated in the current major thoroughfare plan, or a sign to be located on public rights-of-way.

**Sec. 17-83. Prohibited signs.** Within the corporate limits of the City of Dalhart, the following signs shall be prohibited:

(a) Advertising signs (billboards) shall be prohibited in the City of Dalhart, except for advertising signs that are allowed adjacent to U.S. Highway 87, U.S. Highway 54, and U.S. Highway 385 that are regulated by the Texas Department of Transportation (TxDOT). Such signs shall comply with TxDOT regulations that control outdoor advertising signs along primary highways.

(b) Signs which imitate or resemble any official traffic-control devices or railroad signs or signals;

(c) Signs on any telephone or electric light pole located in any street, alley, sidewalk, park or parkway within the City.

(d) Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features;

(e) Signs that contain vulgar, lewd or pornographic figures, pictures, paintings, drawings, words, characters or symbols.

**Sec. 17-84. Signs in required yards; certain districts.** Signs in the zoning districts designated in this Article may be located within the front yard if the sign area does not exceed fifty (50) square feet in the O or LR zoning districts or eighty (80) square feet in the SC, C or I zoning districts, or the maximum sign areas required in Sec. 17-82, whichever is less.

**Sec. 17-85. Timely removal of political signs.** Political signs may be placed no more than forty-five (45) days prior to the election to which they pertain and shall be removed within fourteen (14) days following the election or runoff for which such sign was intended.

**Sec. 17-86. Lighting standards.** Lighted signs shall be constructed so as to conceal the light source in the R-1, R-2, R-3, MD, A, MH, O, LR or residential PD zoning districts. Signs shall not contain, include, or be illuminated by any flashing, intermittent, or moving light. No sign in any residential zoning district shall be illuminated between the hours of 10:00 p.m. and 6:00 a.m.

**Sec. 17-87. Permits.**

(a) A permit shall be required for placement of all portable signs and all permanent signs, except nameplates. A permit is not required where the only alteration to the sign is painting or replacement of the sign message where the original frame size or sign location is not altered. Prior to placement of the sign, the owner/applicant shall submit to the Building Inspector an application, sign plans and specifications and information regarding the premises upon where the sign shall be located. If the proposed sign is in compliance with this Chapter and all other laws and ordinances of the City of Dalhart, the Building Inspector shall issue a permit to erect the sign. If the work authorized under a sign permit has not been completed within six (6) months after the date of issuance, the permit shall become null and void and the applicant shall be required to remove any portion of the sign that has been erected.

(b) There shall be a sign permit fee to be paid at the time the sign permit application is filed with the Building Inspector. The sign permit fee shall be in accordance with fees set by the City Council and kept on file in the office of the City Secretary.

**Sec. 17-88. Sign owner responsibility.** It shall be the responsibility of the owner of the property upon where a sign is placed or erected to assure that signs on the property comply with all requirements of the Dalhart Code of Ordinances.

**Sec. 17-89. Conflicting ordinances.** No provision of this Article shall supersede or replace any other City ordinance except those provisions pertaining to the use of the various types of signs, sizes and heights in the various zoning districts shall take precedence over all other City ordinances, regulations and standards.

**ARTICLE XVI. FENCES AND WALLS**

**Sec. 17-90. Applicability.** In any residential district or within ten (10) feet of the boundary of a residential district where a wall, fence, or screening separation is erected, the standards in this Article for height, location, and design shall be required.

**Sec. 17-91. Height and location.**

(a) A fence or wall erected on the property line, or within ten (10) feet of the property line and generally parallel thereto, and located to the rear of the minimum front yard line as determined by the provisions of Sec. 17-27, Front Yards, shall not exceed eight (8) feet in height above grade.

(b) A fence or wall erected on the property line and located within the minimum front yard as determined by the provisions of Sec. 17-27, Front Yards, shall not exceed four (4) feet in height above grade, except on a corner lot, the four (4) foot maximum fence height shall apply to the front yard along the property line of least dimension and to that portion of the front yard within ten (10) feet of the property line of greatest dimension.

(c) No fence, wall, screen or other visual barrier shall be so located or placed that it obstructs the vision of a motor vehicle driver approaching any street, alley or drive intersection.

**Sec. 17-92. Screening walls or visual barriers.**

(a) Screening walls or visual barriers required under the provisions of this Chapter shall be constructed of masonry or of a permanent and substantial type wall or fence material, supported by a frame or base constructed of concrete, metal, or other substantial material and not readily subject to damage by operations within the enclosure or by the effects of winds or other weather elements. Such wall or barrier shall be maintained in good repair and shall not contain openings constituting more than forty (40) square inches in each one (1) square foot of