

CITY OF SANDY OAKS, TEXAS

ORDINANCE NO. 2015--29

AN ORDINANCE OF THE CITY OF SANDY OAKS, TEXAS ESTABLISHING REGULATIONS OF INFORMAL SALE SIGNS, OPEN HOUSE SIGNS AND REAL ESTATE SIGNS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Sandy Oaks, Texas desires to regulate the use and display of signs within the city limits for sales to preserve the health, safety and general welfare of its citizens.

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

Section 1. Purpose. These regulations are intended to be reasonable measures for the location and placement of signs within the City to reduce hazards at intersections and prevent the accumulation of trash.

Section 2. Definitions.

- (a) "City" shall mean the City of Sandy Oaks, Texas.
- (b) "Garage Sale," "Yard Sale," "Tag Sale," "Estate Sale" or "Moving Sale" shall mean the informal sale or offer of second-hand merchandise for sale by private individuals, in which sellers are not required to obtain a business license or collect a sales tax, which sale occurs on an occasional basis not exceeding three consecutive days.
- (c) "Informal Sale Sign" shall mean a temporary sign advertising or publicizing a Garage Sale, Yard Sale, Tag Sale, Estate Sale or Moving Sale within the City.
- (d) "Open House Sign" shall mean a temporary sign informing the public that property is available for examination by prospective buyers and that the owner of the property or the owner's agent is on the premises during the time the property is available for viewing.
- (e) "Real Estate Sign" shall mean a sign advertising or publicizing the sale, lease, or rental of real estate.

Section 3. Regulation of Informal Sale Signs. The following regulations shall apply to Informal Sale Signs within the City:

- (a) An Informal Sale Sign may be displayed within the City so long as it is not larger than four (4) square feet in area and includes the address and date(s) of the sale and provided it is not located in a right-of-way, such as a public street, alley or sidewalk.

- (b) An Informal Sale Sign must be removed within twenty-four (24) hours after the close of the Sale.
- (c) Informal Sale Signs are prohibited from being posted or erected on any traffic sign, street signs, postal cluster mailboxes, trees or telephone poles within the City.

Section 4. Regulation of Real Estate Signs and Open House Signs. The following regulations shall apply to Real Estate Signs and Open House Signs within the City:

- (a) A Real Estate Sign may only be displayed on the property that is for sale, lease or rent, may be no larger than four (4) square feet in area and may not be located in a public right-of-way, such as a public street, alley or sidewalk.
- (b) An Open House Sign may be displayed within the City so long as it is not larger than four (4) square feet in area and includes the address and date(s) of the open house and provided it is not located in a right-of-way, such as a public street, alley or sidewalk.
- (c) A Real Estate Sign or Open House Sign must be removed within twenty-four (24) hours after the close of the sale, lease or rental of the real estate, or close of the open house.
- (d) Real Estate Signs and Open House Signs are prohibited from being posted or erected on any traffic signs, street signs, postal cluster mailboxes, trees or telephone poles within the City.

Section 5. Enforcement. The City may remove and dispose of any Informal Sale Sign, Real Estate Sign or Open House Sign, without notice to the seller or the seller's agent, that fails to comply with the regulations set forth in Sections 3 and 4 of this ordinance. City residents may remove and dispose of an Informal Sale Sign, Real Estate Sign or Open House Sign that is in violation of Sections 3(c) or 4(d) of this ordinance, without notice to the seller or seller's agent, and without penalty to the person removing and disposing the Informal Sale Sign, Real Estate Sign or Open House Sign as authorized by this Section.

Section 6. Severability. If any provision, section, subsection, sentence, clause, or phrase of this ordinance, or the application of the same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidances or invalidity of another portion hereof, and all provisions of this ordinance are declared to be severable for that purpose.

Section 7. Effective Date. This ordinance shall take effect immediately upon its passage.

PASSED AND APPROVED on this 10 day of Sep, 2015.

CITY OF SANDY OAKS, TEXAS



Earnest Gay, Mayor Pro Tem

ATTEST:



Charlotte Rabe, City Clerk