

ORDINANCE NUMBER \_\_\_\_\_15953, 16166, 16765, 17205, 17522 & 17960\_\_\_\_\_

**AN ORDINANCE AMENDING THE FORT WORTH SIGN CODE, BY AMENDING THE ELECTRICAL PROVISIONS FOR SIGNS TO THE CURRENT ELECTRICAL CODE; BY AMENDING THE STRUCTURAL PROVISIONS TO THE CURRENT BUILDING CODE; PROVIDING FOR REFORMATING OF THE COMPLETE CODE WITH NO ATTEMPT TO ALTER THE PROVISIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR A PENALTY CLAUSE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:**

**SECTION 1.**

Sections 29-1 through 29-138 of the Code of the City of Fort Worth (1986) is repealed and replaced with new sections 29-1, 29-2 and 29-3 to read as follows:

**Sec. 29-1 Sign Code.**

**ARTICLE I - ADMINISTRATIVE**

**Chapter A  
Scope**

**SECTION A01 - GENERAL**

**A01.1 Title.** These regulations shall be known as the "Fort Worth Sign Code," may be cited as such, and will be referred to herein as "this code."

**A01.2 Purpose.**

**(a) Practical Safeguarding.** The purpose of this Code is to provide minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, installation, quality of materials, location, operation, and maintenance or use of signs; and by regulating and licensing those persons who will install or maintain such signs. This code applies to on-premises and off-premises signs in the City of Fort Worth and to off-premises signs in the extraterritorial jurisdiction.

**(b) Adequacy.** This code contains provisions considered necessary for safety. Compliance therewith and proper maintenance is expected to result in an installation essentially in compliance with the minimum standards, but not necessarily efficient, convenient, or adequate for good service or future expansion of any sign installation.

**(c) Intent.** This code is not intended as a design specification nor an instruction manual for untrained persons.

**(d)** The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by the terms of this code.

### **A01.3. Scope.**

**(a)** The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use, location, maintenance and removal of every sign or any appurtenances connected or attached to such sign. The provisions shall also apply to the sign structure.

**(b) Covered.** Signs and sign structures, unless exempted under (c) below, shall comply with the provisions of this code, except that all signs and sign structures must comply with the following provisions:

- (1) A04.5 (Unsafe signs declared nuisances; abatement)
- (2) 3.02 (Temporary signs: generally)
- (3) 3.03 (Cloth signs)
- (4) 4.01 (Encroachments in public right-of-way: requirements)
- (5) 4.01.4 (Removal of encroachments constituting obstruction)
- (6) 4.02.1 (Traffic location restrictions)
- (7) 4.02.2 (Traffic location - prohibited signs)
- (8) 4.03 (Prohibited signs)

**(c) Not Covered.** Except for compliance with (b) above, the following signs and sign structures are exempt from the provisions of this code:

(1) Signs on vehicles or trailers, provided, however, signs on vehicles or trailers that are parked or located for the primary purpose of displaying the sign are prohibited pursuant to Section 4.03.

- (2) Temporary signs, as follows:
- a. Temporary decorative flags.
  - b. Temporary signs erected in accordance with temporary banner policy administered by the Transportation and Public Works Department for signs in the public right-of-way, large banner policy administered by the Parks and Community Services Department for signs on park property,

policy governing erection of banners on Main Street, and other temporary banner policies administered by City Departments or their designees.

- (3) Warning, security and directional signs for parking or vehicle access.
- (4) Government signs, flags, insignia, legal notices or informational, directional or traffic signs;
- (5) Political signs referring to the candidates or issues involved in a public election, subject to the following conditions:
  - a. The sign is located on private real property with the consent of the property owner;
  - b. The sign does not exceed eight feet in height;
  - c. The sign may not have an effective area greater than 36 square feet;
  - d. The sign shall not be illuminated;
  - e. The sign shall not contain any moving elements.
- (6) Other than electrical signs, signs in windows subject to the following:
  - a. Signs shall not exceed ten percent (10%) of the window area, and
  - b. The window area shall be calculated by multiplying the window width times the height of the window, with a maximum calculated height of 15 feet.
- (7) Other than electrical signs, all signs not visible from off the property.
- (8) Nameplate and street address signs not exceeding one (1) square foot in area.
- (9) One (1) non-illuminated real estate sign, temporary in nature, advertising the sale or lease of real property on which the sign is located or announcing contemplated improvements of real property on which the sign is located; provided, however, that said sign shall not exceed eight (8) square feet in any one- or two-family dwelling district or sixty (60) square feet in area and eight (8) feet in height in any other district; provided, further, however, on corner lots and through lots, one such sign shall be allowed for each street on which the lot has frontage. The sign shall be removed within 30 days after the sale or occupancy of the property.
- (10) One non-illuminated estate or garage sale sign, not to exceed two square feet in area, temporary in nature, advertising the sale of items on property for which a garage sale permit has been obtained. The sign shall be removed within 24 hours after the sale ends.
- (11) One construction sign, not exceeding four (4) square feet in area in any one- or two-family dwelling district or forty (40) square feet in area and twelve (12) feet in height in any other district, denoting the owner, architect, financial institution, general contractor, subcontractor or any statement pertaining to the project on the real

property on which the sign is located; provided, however, on corner lots and through lots, one such sign shall be allowed for each street on which the lot has frontage. The sign shall be removed within 30 days after completion of the project.

(12) "No dumping," "No Trespassing," and "No Solicitation" signs.

(13) Noncommercial residential signs. In addition to the other noncommercial signs permitted by the Zoning Code, a maximum of four signs not exceeding a total of 16 square feet in area may be erected on any lot used for residential purposes and may contain noncommercial copy. No one sign shall exceed eight square feet in area.

(14) Signs depicting or relating to a national, local or religious holiday or season if installed, maintained or displayed for not more than 45 consecutive days.

(15) Signs designed and used for display upon or within lighter than air objects, such as balloons, or in conjunction with aircraft.

(16) Signs of not more than two (2) square feet with a ground clearance (total height) of not more than four (4) feet within twenty (20) feet of a driveway or other ingress/egress to private property which restricts parking on said property. Corners of this type of sign shall be mitered or rounded corner signs.

(17) Signs erected by public utility or transportation organization operating pursuant to a franchise agreement with the City, where such signs are erected or displayed for the purpose of public instruction, traffic control and similar uses incidental to the public interest.

**A01.4 Severability.** If a section, subsection, sentence, clause or phrase of this code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

## **SECTION A02 - APPLICABILITY**

**A02.1 General.** The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section A01. Where, in a specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern.

**A02.2 Existing installations.** Except as otherwise provided for in this code, signs and sign structures lawfully in existence at the time of the adoption of this code may have their use, maintenance or repair continued if the use, maintenance or repair is in accordance with the original design, if no hazard to life, health or property has been created by such sign or sign structure or electrical system and equipment, and if the electrical system and equipment are maintained in good repair.

**A02.3 Maintenance.** Signs and sign structures, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. Devices or safeguards that are required by this code shall be maintained in compliance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of the signs and sign structures. To determine compliance with this provision, the Building Official shall have the authority to require that the sign or sign structure be reinspected.

**A02.4 Additions, alterations and repairs.** Additions, alterations, renovations and repairs to signs and sign structures shall conform to that required for new installation without requiring that the existing sign or sign structure to comply with all of the requirements of this code. Additions, alterations, renovations and repairs shall not cause existing sign or sign structure to become unsafe, hazardous or overloaded.

Minor additions, alterations, renovations and repairs to existing electrical systems and equipment shall be permitted in the same manner and arrangement as was in the existing system, provided that such repairs or replacement are not hazardous and are approved.

**A02.5 Requirements not covered by code.** For any requirements necessary for the strength, stability or proper operation of an existing or proposed electrical system, or for the public safety, health and general welfare, not specifically covered by this code, the Electrical Code or the Building Code shall be determined by the Building Official.

**A02.6 Zoning Code.** The provisions of the Zoning Code shall also apply to signs and sign structures. When provisions are duplicated in the Zoning Code and this code, staff shall determine who is the appropriate interpretation official and board of appeals using the following guidelines:

1. Provisions based upon location, size, appearance and content would normally fall under the Zoning Code.
2. Provisions based upon permits, construction requirements and life safety issues would normally fall under this code.
3. If no clear authority exists, the Zoning Board of Adjustment will be the default forum since it offers a more public notification and input process.

**A02.7 Enforcement by other departments.** Enforcement of these sections may be performed by other departments or divisions of the City of Fort Worth. However, as provisions of this code, final interpretation, appeals of interpretation, requests for variances, etc. shall be handled as described in this code.

## SECTION A03 - APPROVAL

**A03.1 Modifications.** Whenever there are practical difficulties involved in carrying out the provisions of this code, the Building Official shall have the authority to grant modifications for individual cases, provided the Building Official shall first find that special individual reason makes the strict letter of this code impractical and that the modification is in compliance with the intent and purpose of this code and does not lessen health, life and fire-safety requirements. The details of action granting modifications shall be recorded and entered in the files of the inspection department.

**A03.2 Alternative materials, methods, equipment and appliances.** The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved by the Building Official.

The Building Official may approve any alternate, provided that the proposed design is satisfactory and complies with the provisions of this code and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

**A03.3 Required testing.** Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction.

**A03.3.1 Test methods.** Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall approve the testing procedures.

**A03.3.2 Testing agency.** All tests shall be performed by an approved agency.

**A03.3.3 Test reports.** Reports of tests shall be retained by the Building Official for the period required for retention of public records.

**A03.4 Material, equipment and appliance reuse.** Materials, equipment, appliances and devices shall not be reused unless such elements have been reconditioned, tested and placed in good and proper working condition and approved.

## SECTION A04 - VIOLATIONS

**A04.1 Unlawful acts.** It shall be unlawful for any person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize any sign or sign structure, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

**A04.1.1 Unsafe sign or sign structure.** Failure to correct an unsafe sign or sign structure as provided for in Sections A04.5, C06.4.1 or C06.4.2 shall constitute a violation of this code.

**A04.2 Violation penalties.** Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000.00) for all violations involving fire safety, or public health and sanitation and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day or any portion thereof during which any violation of this ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

**A04.3 Stop work orders.** Upon notice from the Building Official, work on any sign or sign structure that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work or causing such work to be done. Where an emergency exists, the Building Official shall not be required to give a written notice prior to stopping the work. Such work shall not resume until authorized by the Building Official to proceed.

**A04.4 Abatement of violation.** The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal usage, structure or premises, or to stop an illegal act, conduct, business or utilization of the sign on or about any premises.

**A04.5 Unsafe sign or sign structure.**

(a) Any sign or sign structure that is structurally unsafe and any electrical system or equipment regulated by this code that is unsafe or that constitutes a fire or health hazard, insanitary condition, or is otherwise dangerous to human life is hereby declared unsafe. Any use of a sign or sign structure or an electrical system or equipment regulated by this code constituting a hazard to safety, health or public welfare by reason of improper installation, inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment is hereby declared an unsafe use. Any such unsafe sign or sign structure or equipment is hereby declared to be a public nuisance and shall be abated by repair (when permitted by this and other City Codes), rehabilitation, demolition or removal.

**Exception:** When allowed by Section 6.405 of the zoning ordinance or Section 5.02.3 and when done in compliance with other applicable laws, ordinances and regulations, the nuisance may be abated by repair, rehabilitation, or removal and replacement.

(b) Should the building official determine that any sign is not properly maintained, is unsafe or insecure or has otherwise been constructed, erected or maintained in violation of the provisions of this code, he shall give written notice to the permittee or owner thereof. Such notice and order shall contain substantially the following:

- (1) The registration number, if available, location and business name of the sign, sufficient for identification of such sign;
- (2) A statement that the building official has found such sign to be in violation of this code or other laws, together with a general description of such violation;
- (3) The amount of time required to bring the sign into compliance with this code or any other law, said time not to exceed ten (10) days. The building official may extend the time of notice when it is shown that such corrections cannot be accomplished within the original ten-day time period.

(c) In addition to the above, the building official may issue citations or pursue any other administrative or legal remedy in order to abate any sign which is in violation of this code or any other law.

(d) Notwithstanding anything contained herein to the contrary, the building official may cause any sign which is dangerous to persons or property to be removed summarily and without notice.

(e) All buildings or structures subjected to damage by deterioration or by fire shall be inspected by the building official, and all unsafe sign or sign structure or wiring or electrical equipment shall be repaired or replaced.

(f) Any work covered or concealed without inspection shall be considered to constitute and unsafe sign or sign structure. Such consideration as an unsafe structure shall exist every day until the work is inspected and approved as being in compliance with this code. Inspections will not be performed until a valid active permit is obtained in accordance with this code.

**A04.5.1 Authority to condemn.** Whenever the Building Official determines that any sign or sign structure or electrical system or equipment, or portion thereof, regulated by this code has become hazardous to life, health or property or has become insanitary, or is otherwise dangerous to human life, the Building Official shall order in writing that such sign or sign structure or electrical system or equipment either be removed or restored to a safe or sanitary condition. A time limit for compliance with such order shall be specified in the written notice. No person shall use or maintain defective sign or sign structure or electrical after receiving such notice.

**A04.5.2 Authority to order disconnection of utilities.** The Building Official shall have the authority to order disconnection of any energy source or utility service supplied to a building, structure or equipment regulated by this code when it is determined that the equipment or any portion thereof has become hazardous or insanitary. Written notice of such order to disconnect

service and the causes therefor shall be given within 24 hours to the owner and occupant of such building, structure or premises, provided, however, that in cases of immediate danger to life or property, such disconnection shall be made immediately without such notice. If not notified prior to disconnecting, the owner or occupant of the building, structure or service systems shall be notified in writing, as soon as practical thereafter.

**A04.5.3 Connection after order to disconnect.** No person shall make connections from any energy, fuel, power supply or water distribution system or supply energy, fuel or water to any equipment regulated by this code that has been disconnected or ordered to be disconnected by the Building Official or the use of which has been ordered to be discontinued by the Building Official until the Building Official authorizes the reconnection and use of such equipment.

## Chapter B

### ORGANIZATION AND ENFORCEMENT

#### SECTION B01 - ORGANIZATION

**B01.1 Code Official.** Whenever the term "code official" is used in this code, it shall be construed to mean the Building Official or his authorized representative(s). The Building Official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges.

Applicable Zoning code provisions shall be interpreted as otherwise provided for in that code.

**B01.2 Deputies.** In accordance with the prescribed procedures of this jurisdiction, the Building Official shall have the authority to appoint a deputy code official, other related technical officers, inspectors, and other employees. For the purpose of this code, the regularly authorized deputy code official shall be the Chief Electrical Inspector.

**B01.3 Department having jurisdiction.** Unless otherwise provided for by law, the office of the Building Official shall be part of the Planning and Development Department.

**B01.4 Restriction of employees.** An official or employee connected with the department of electrical inspection shall not be engaged in or directly or indirectly connected with the furnishing of labor, materials or appliances for the construction, alteration or maintenance of a sign; and such officer or employee shall not engage in any work that conflicts with official duties or with the interests of the department.

Further no official or employee shall be permitted to work for, or be connected with, any sign contractor, electrical contractor, electrical manufacturer or wholesale supply company, or do any electrical work while employed as an electrical inspector by the city.

**B01.5 Liability.** The Building Official charged with the enforcement of this code, acting in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance shall not thereby be rendered personally liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the Building Official or employee because of such act or omission performed by the Building Official or employee in the enforcement of any provision of such codes or other pertinent laws or ordinances implemented through the enforcement of this code or enforced by the code enforcement agency shall be defended by this jurisdiction until final termination of such proceedings and any judgment resulting therefrom shall be assumed by this jurisdiction.

This code shall not be construed to relieve from or lessen the responsibility of any person owning, operating or controlling any building or structure, sign or sign structure for

any damages to persons or property caused by defects, nor shall the code enforcement agency or its parent jurisdiction be held as assuming any such liability by reason of the inspections authorized by this code or any permits or certificates issued under this code.

## **SECTION B02 - DUTIES AND POWERS OF THE BUILDING OFFICIAL**

**B02.1 General.** The Building Official shall enforce all of the provisions of this code and shall act on any question relative to the installation, alteration, repair, maintenance or operation of all sign or sign structures, electrical systems, devices and equipment except as otherwise specifically provided for by statutory requirements or as provided for in Sections B02.2 through B02.9.

The Building Official shall have the power to render interpretations of this code as may be deemed necessary in order to clarify the application of the provisions of this code. Such interpretations shall be in conformity with the intent and the purpose of this code.

**B02.2 Rule-making authority.** The Building Official shall have authority as necessary in the interest of public health, safety and general welfare to adopt and promulgate rules and regulations to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving requirements specifically provided for in this code, or of violating accepted engineering practice involving public safety.

**B02.3 Applications and permits.** The Building Official shall receive applications and issue permits for the installation and alteration of sign or sign structures or electrical systems, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this code.

An application for a permit shall be considered as permission from an authorized representative to inspect the premises.

**B02.4 Inspections.** The Building Official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to require expert opinion, as deemed necessary, to report upon unusual technical issues that arise, at no expense to the jurisdiction.

**B02.3 Right of entry.** Whenever it is necessary to make an inspection to enforce the provisions of this code, or whenever the Building Official has reasonable cause to believe that there exists in a building or upon any premises any condition or violation of this code which make the building, sign or sign structure or premises unsafe, insanitary, dangerous or hazardous, the Building Official shall have the authority to enter the building or premises at all reasonable times to inspect the same or to perform the duties imposed upon the Building

Official by this code. If such building or premises is occupied, the Building Official shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry be refused, the Building Official shall have recourse to every remedy provided by law to secure entry.

An application for a permit shall be considered as permission from an authorized representative to inspect the premises.

When the Building Official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner, occupant or persons having charge, care or control of any building or premises shall fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the Building Official for the purpose of inspection and examination pursuant to this code.

It shall be unlawful for any person to hinder or interfere with the code official, deputy or any of the electrical inspectors in the discharge of their duties under this code.

**B02.6 Identification.** The Building Official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

**B02.7 Notices and orders.** The Building Official shall issue all necessary notices or orders to ensure compliance with this code.

**B02.8 Department records.** The Planning and Development Department shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for the retention of public records.

**B02.9 Cooperation of other officials and officers.** The Building Official may request, and shall receive, the assistance and cooperation of other officials of this jurisdiction so far as is required in the discharge of the duties required by this code or other pertinent law or ordinance.

## **SECTION B03 - BOARD OF APPEALS**

**B03** Applications for appeals of this code shall be made to the Construction and Fire Prevention Board of Appeals. (See the Building Code.) All references to the "Board" shall be deemed to refer to the Construction and Fire Prevention Board of Appeals.

Applications for appeals to the Zoning Code shall be made as otherwise provided for in that code.

## Chapter C

### PERMITS AND INSPECTIONS

#### SECTION C01 - PERMITS

**C01.1 When required.** Except as provided for in Section C01.2, no sign shall hereafter be constructed, enlarged, altered, repaired, moved, removed or demolished, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit for the work.

A separate permit shall be obtained for each sign or group of signs on any single supporting structure. No permit shall be issued except to a duly licensed and registered sign erector as provided in Chapter D of this code.

No permit shall be issued for a nonconforming sign, except as allowed by Section 6.405 of the Zoning ordinance or Section 5.02.3 as a permitted alteration. When repairs of a nonconforming sign are not permitted pursuant to Section 6.405 or Section 5.02.3, the sign shall be subject to the provisions of Section A04.5.

No permit shall be issued for the erection of new off-premises signs in the extraterritorial jurisdiction, which is prohibited under Section 5.02.2; provided, however, subdivision directional signs, homebuilder signs, and temporary public interest signs may be erected without a permit, in accordance with Section 5.02.2.

**C01.1.1 Unlawful Wiring.** No permit shall be issued for installing, altering, extending or replacing any electrical wiring or equipment on any sign, if any unlawful electrical wiring or equipment exists on the sign, until a permit to correct such conditions is first obtained and all necessary corrections are made.

**C01.2 Exempt work.** A sign permit shall not be required for the following:

- (1) Complete removal of an attached on-premises sign when the removal is performed by the owner of the premises or the owner's agent (property manager). (A third party company hired to remove the sign does not constitute "the owner's agent.")
- (2) Changing of non-electrical advertising copy or message on marquee signs and other signs specifically designed for the use of replaceable copy.
- (3) Maintenance work when limited to the painting (including the retracing of existing advertising copy), repair or replacement of nonstructural trim, and replacement of nonstructural minor parts.
- (4) Kiosk Signs erected in accordance with Section 6.414 of the Comprehensive Zoning Ordinance.
- (5) Subdivision directional signs, homebuilder signs and temporary public interest signs erected in the extraterritorial jurisdiction in accordance with Section 5.02.2.

(6) Those otherwise in conformance with the provisions of the Comprehensive Zoning Ordinance and molded, chiseled, etched or otherwise indented into walls or structural members of buildings or structures.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

## **SECTION C02 - WHOM PERMITS MAY BE ISSUED TO**

### **C02.1 - Whom permits may be issued to.**

**C02.1.1 Non-electrical signs.** No permit shall be issued for the erection of a non-electrical sign except to a duly licensed and registered sign erector as provided in Chapter D of this code.

**Exceptions:** An owner may install the following non-electrical signs on his own property without meeting the requirements of Chapter D, provided that:

(1) The non-electrical signs are no more than seven (7) feet to the highest point above grade when mounted in or upon the ground.

(2) A non-electrical sign containing no more than a three-quarter-inch thick display panel may be mounted flat against a building provided any trim or portion of the sign does not project more than four (4) inches from the building and provided, further, that the sign shall be no larger than thirty-two (32) square feet.

(3) Banners, when in compliance with BOTH of the following limitations:

3.1 Sixty (60) square feet or less in size; and,

3.2 Twenty (20) feet or less above grade, measured to the top of the banner

(4) Such signs meet the requirements for zoning and structural design.

**C02.1.2. Electrical signs.** No permit shall be issued to any person or contractor to do or cause to be done any work on an electrical sign, except to a person or contractor as listed below:

1. A person holding valid a Fort Worth Master Sign License and registered, pursuant to the provisions of Chapter D of the Electrical Code.
2. A State of Texas Electrical Sign Contractor that has a valid Fort Worth registration, pursuant to the provisions of Chapter D of the Electrical Code.

### **C02.2 Who may do the work.**

**C02.2.1. Electrical signs.** No person may perform electrical work on signs except as specified in Section C02.2 of the Electrical Code.

## SECTION C03 - APPLICATION FOR PERMIT

**C03.1 Application.** Any person legally entitled to apply for and receive a permit shall make application on forms provided for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by address and by legal description, or similar description, that will readily identify and definitely locate the proposed sign or work.
3. Contain the registration number if available.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section C03.2.
5. Be signed by the applicant or an authorized agent of the applicant.
6. Give such other data and information as may be required by the Building Official.

An application for a permit shall be considered as permission from an authorized representative to inspect the premises.

**C03.2 Plans and specifications.** Plans, specifications, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. The plans shall indicate all necessary information required, including but not limited to the following:

1. On a scale of not less than one(1) inch equals twenty (20) feet.
2. Show the egress and ingress, distance from curb to sign, and all buildings on the property.
3. Show size and height of the sign and designate whether the sign is an electrical.

When such plans are not prepared by an architect or engineer, the Building Official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The Building Official may require plans, computations and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law.

**Exception:** The Building Official may waive the submission of plans, calculations, construction inspection requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code.

All plans, specifications and accompanying data involved with the practice of engineering or architecture shall comply with all state and local laws governing the practice of engineering or architecture.

**C03.3 Information on plans and specifications.** Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

**C03.4 Expiration of plan review.** Applications for which no permit is issued within 90 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the Building Official.

The Building Official may extend the time for action by the applicant for a period not exceeding 90 days on request by the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application shall be extended more than once. In order to renew action on an application after expiration, the applicant shall resubmit plans and pay a new application fee.

**Exception:** Applications for temporary signs shall expire within sixty (60) days and may be extended for a period not to exceed sixty (60) days.

## **SECTION C04 - PERMIT ISSUANCE**

**C04.1 Issuance.** The application, plans, specifications, computations and other data filed by an applicant for a permit shall be reviewed by the Building Official. Such plans may be reviewed by other departments of this jurisdiction to verify compliance with any applicable laws under their jurisdiction. If the Building Official finds that the work described in an application for a permit and the plans, specifications and other data filed therewith conform to the requirements of this code and other pertinent laws and ordinances, and that the fees specified in Section C05 have been paid, the Building Official shall issue a permit therefor to the applicant.

When the Building Official issues the permit where plans are required, the Building Official shall endorse in writing or stamp the plans and specifications APPROVED. Such approved plans and specifications shall not be changed, modified or altered without authorization from the Building Official, and all work regulated by this code shall be done in accordance with the approved plans.

The Building Official may issue a permit for the construction of a portion of a sign before the entire plans and specifications for the complete sign or sign structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this code. The holder of a partial permit shall proceed without assurance that the permit for the entire sign or sign structure will be granted.

**C04.2 Withholding of permits.** The Building Official is authorized to withhold permits to any person for the reasons set forth herein upon written notice to such person. The determination of the Building Official may be appealed to the Board as provided in Section B03.

The Building Official is authorized to withhold the issuance of sign permits to:

1. Any person until such time as the sign for which a permit was previously issued has been completed or is being performed in an efficient manner in a reasonable length of time.
2. Any person who is delinquent in the payment of fees owed the City of Fort Worth.
3. Any person who has performed previous jobs which remain in violation of this code.

**C04.3 Validity.** The issuance of a permit or approval of construction documents shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of other ordinance of the jurisdiction. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid.

The issuance of a permit based upon construction documents and other data shall not prevent the Building Official from thereafter requiring the correction of errors in said construction documents and other data or from preventing sign operations being carried on thereunder when in violation of this code or of other ordinances of this jurisdiction.

**C04.4 Expiration.** Every permit issued by the Building Official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 90 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 120 days. Before such work can be recommenced, a new permit shall be first obtained and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

If work does not commence within ninety (90) days of the date of such renewal permit, or if work is suspended for a period of ninety (90) days, the renewal permit shall become null and void and a new permit must be obtained.

**C04.4.1 Temporary signs.** Every permit issued for a temporary sign or banner shall expire thirty (30) days from the date of issuance and such sign shall be removed

immediately by the permittee. All permits for temporary signs shall also be limited to the time constraints as specified in Section 3.02.

**C04.5 Extensions.** Any permittee holding an unexpired permit, for other than temporary signs, shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work is unable to be commenced within the time required by this section for good and satisfactory reasons. The Building Official shall extend the time for action by the permittee for a period not exceeding 90 days if there is reasonable cause. No permit shall be extended more than once.

**C04.6 Suspension or revocation of permit.** The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code.

**C04.7 Administrative hold.** Any administrative discrepancy including but not limited to, delinquency in payments, returned checks, failure to pay for reinspection, investigation or registration fees, and failure to keep registration, insurance or bond up-to-date, may result in a hold being placed on issuance of permits and performance of inspections of existing permits until the administrative discrepancy is corrected. For the purpose of this section, the term “up-to-date” shall mean that whenever any of these items is required by this or any other code to obtain a permit covered by this code, it shall be maintained current and in effect until the permit is finalized.

**C04.8 Retention of plans.** One set of approved plans, specifications and computations shall be retained by the Building Official for a period of not less than ninety (90) days from date of completion of the work covered therein. One set of approved construction documents shall be returned to the applicant, and said set shall be kept on the site of the sign or work at all times during which the work authorized thereby is in progress.

**C04.9 Job abandonment.** If, after a permit is issued under the provisions hereof, the applicant abandons the job, becomes incapacitated or his/her services are terminated prior to final inspection and approval thereof by the Building Official and before the permit has expired, the applicant or his lawful/legal representative shall immediately notify the office of the Building Official in writing. Upon such notification, the Building Official shall immediately have an inspection made of the work completed to that time, and may revoke the outstanding permit and require that a new permit with the payment of fees be obtained before the work is allowed to resume.

## **SECTION C05 - FEES**

**C05.1 General.** Fees shall be assessed in accordance with the provisions of this section or shall be as set forth in the fee schedule adopted by this jurisdiction.

**C05.2 Permit fees.** The fee for each permit shall be as set forth in Table C05.2.

Any person obtaining a permit application required by this code shall, at the time of filing, pay a permit and a non-refundable application fee as required by this section for the installation, relocation or replacement of any of the listed items.

**Exceptions:** 1. Sign and sign structures owned and occupied by a Federal, State, or County entity on property owned by the Federal, State, or County entity shall be exempt from the permit fees. This exception does not apply to public school districts or county community colleges.

2. Work by non-City personnel on property under the control of the City of Fort Worth shall be exempt from the permit fees only if the work is for action under a contract approved by City Council with notes in the contract packages stating the fee is waived.

3. When permitted by this code, work by City personnel on property under the control of the City of Fort Worth shall be exempt from the permit fees only if the application is accompanied by a copy of the work order for the project.

Exemption or reduction of the permit fees under this section shall not waive the requirements to pay a full investigation fee for doing work without a permit as required under Section C05.3.

**Table C05.2  
Sign Fees**

**Administrative**

1. CFPBOA Application Fee							
(1st item per address)	.	.	.	.	.	.	\$125.00
(Each additional item per address)	.	.	.	.	.	.	30.00
2. Record Change Fee (per record or permit)	.	.	.	.	.	.	22.00

**Permit items**

Application fee	.	.	.	.	.	.	33.00*
-----------------	---	---	---	---	---	---	--------

New signs = Application fee  
 Plus,  
 Display area at \$21.34 or \$0.20 per square foot for each display surface,  
 whichever is greater;

Plus,		
Height above grade at:	Feet above grade	Fee
	1-20	\$21.34
	21-30	42.69
	31-40	64.06
	41-50	85.40
	51-60	106.77
	Over 60	149.46

Plus,		
Electrical at:	Amps	Fee
	1-40	\$29.90
	41-60	42.69
	61-80	64.06
	81-100	85.40
	Over 100	128.12

Temporary Signs = Application fee			
Plus, Display area at	.	.	\$21.34
Plus, Height above grade at	.	.	21.34

Banners = Application fee

\*When permits are required for allowable repairs or sign removal, the non-refundable application fee shall cover the required permit fee.

**Other Inspections and Fees**

- 1. Inspections outside of normal business hours (minimum of two hours) \$38.00 per hour
- 2. Reinspection fee assessed under provisions of Sec. 29-25(c). . . . \$27.50
- 3. Inspections for which no fee is specifically indicated  
(minimum charge - one-half hour) . . . . \$38.00 per hour
- 4. Additional plan review required by changes, additions or revisions  
to plans (minimum charge - one-half hour) . . . . \$38.00 per hour

**C05.3 Investigation fees: Work without a permit.**

**C05.3.1 Investigation.** Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

**Exceptions:** 1. This provision shall not apply to emergency work when it shall be proved to the satisfaction of the Building Official that such work was urgently necessary and that it was not practical to obtain a permit therefore before the commencement of the work. In all cases, a permit must be obtained as soon as it is practical to do so, and if there be an unreasonable delay in obtaining such permit, an investigation fee as herein provided shall be charged.

2. The investigation fee required shall be charged for work for which an inspection has been requested and no permit has been obtained.

**C05.3.2 Fee.** An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the application fee set forth in Table C05.2. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

The applicant may appeal the amount of an investigation fee to the city council by filing a written appeal showing the reason why the fee should be lowered. The city council may, upon a finding that the investigation fee is unreasonable based upon the facts presented, reduce the investigation fee, but in no case may the fee be reduced to less than the actual investigation costs incurred by the city.

**C05.4 Change of record.** Any request for a record change, or any mistake made by an applicant that requires a record change, including but not limited to name or address changes, whether computer or paper record, must be requested in writing by the original applicant with a fee as specified in Table C05.2.

**Exceptions:** 1. For record changes that affect the permit fee, such as adding equipment, fixtures, height or square footage, the code official may require a separate permit for the extra items with the appropriate fees.

2. The fee will not be required for those applicants meeting exception 4 of Section C05.2.

**C05.5 Fee Refunds.** The Director of Planning and Development or his designee may authorize the refunding of any fee paid hereunder which was erroneously paid or collected. Where work for which a permit has been issued does not commence, and a request is made for a cancellation of such permit within a 60-day time limit, the permit fee may be returned, upon request, minus an administration charge of five dollars (\$5.00). After the 60 day time limit, no fee shall be returned.

**Exceptions:** 1. When the investigation fee of Section C05.3 has been collected, it shall not be refunded unless paid by another party.

2. No refund will be given for the application fee.

## **SECTION C06 - INSPECTIONS**

**C06.1 General.** All work for which a permit is required by this code, except for banners, shall be inspected by the building official. No portion of any sign, sign structure or electrical system shall be concealed until inspected and approved. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of material required to permit inspection. The holder of the permit shall be responsible for the scheduling of such inspections. Electrical systems regulated by this code shall not be connected to energy supply until authorized by the building official.

**C06.1.1** Under ground inspection shall be made after trenches or ditches are excavated and bedded, piping installed, and before any backfill is put in place. When excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the piping or cause corrosive action, clean backfill shall be on the job site.

**C06.1.2** Rough-in inspection shall be made after the components to be concealed are complete, and prior to the installation of cover materials.

**C06.1.3** Final inspection shall be made after the sign is complete, all electrical systems are in place and properly connected, and the structure is ready for use.

**C06.1.4** A survey of the lot may be required by the building official to verify that the structure is located in accordance with the approved plans.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of this jurisdiction. Inspections presuming to give authority to violate or cancel provisions of this code or of other ordinances

of the jurisdiction shall not be valid.

**C06.2 Other inspections.** In addition to the called inspections specified above, the building official may make or require other inspections of any work to ascertain compliance with the provisions of this code and other laws which are enforced.

**C06.3 Testing.** Electrical systems shall be tested when required by the Building Official. Tests shall be made by the permit holder and observed by the building official.

**C06.3.1 New, altered, extended or repaired systems.** New electrical systems and parts of existing systems, which have been altered, extended or repaired, shall be tested when required by the Building Official.

**C06.3.2 Equipment, material and labor for tests.** All equipment, material and labor required for testing an electrical system or part thereof shall be furnished by the permit holder.

**C06.3.3 Reinspection and testing.** Where any work or installation does not pass any initial test or inspection, the necessary corrections shall be made to comply with this code. The work or installation shall then be resubmitted to the building official for inspection and testing.

**C06.4 Inspection requests.** It shall be the duty of the person doing the work authorized by a permit to notify the Building Official that such work is ready for inspection. The Building Official may require that every request for inspection be filed at least one working day before such inspection is desired. Such request may be in writing or by telephone, at the option of the Building Official.

The person doing the work authorized by the permit shall make sure that the work will stand tests prescribed elsewhere in this code, before giving the above notification.

It shall be the duty of the person requesting inspections required by this code to provide access to and means for proper inspection of such work. When the work is within a residence where access is dependent upon the occupant being home, it shall be the duty of the person doing the work to make arrangements for inspections. Failure to make arrangements within a timely manner or the inability for the inspector to do the inspections at the arranged times will result in reinspection fees being assessed to the person doing the work.

**Exception:** If the reinspection fee was for a “Final Inspection” for a residence where access is dependent upon the occupant, after the fee has been paid by the person doing the work additional arrangements for the final inspection and penalties for not receiving such inspection shall fall on the occupant.

This shall not relieve the person doing the work from having to correct improper work and such accompanying penalties should the work fail reinspection.

**C06.4.1 Approval Required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, shall make the requested inspections and shall either indicate that portion of the construction is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official. There shall be a final inspection and approval of all signs and sign structures when completed and ready for use.

**C06.4.2 Covered work.** Any work covered or concealed without inspection shall be considered to constitute an unsafe structure and subject to the corrective provisions of Section A04.5. Such consideration as an unsafe structure shall exist every day until the work is inspected and approved as being in compliance with this code. Inspections will not be performed until a valid active permit is obtained in accordance with this code.

**C06.5 Inspection card.** (No requirements.)

**C06.6 Reinspections.** A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

Reinspection fees may be assessed when the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the Building Official.

To obtain a reinspection, the applicant shall file an application therefor in writing on a form furnished for that purpose and pay the reinspection fee in accordance with Table C05.2 or as set forth in the fee schedule adopted by the jurisdiction.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

## **SECTION C07 - CONNECTION APPROVAL**

**C07.1 Energy connections.** No person shall make connections from a source of energy or fuel to any electrical system or equipment regulated by this code and for which a permit is required until approved by the Building Official.

**C07.2 Temporary connections.** The building official shall have the authority to authorize the temporary connection of the system to the utility source for the purpose of testing electrical systems.

## Chapter D

### LICENSING AND REGISTRATION

#### SECTION D01 - REGISTRATION

**D01.1 Business registration.** Any person, firm, business or other organization consisting of sign erectors required to be licensed under this chapter shall register with the city department of development. Each registration shall be renewed annually on or before October 30 of each year. The following fees shall be charged for such registration:

Registration fee, first year:	\$120.00
Annual renewal:	\$ 60.00

#### SECTION D02 - LICENSE

**D02.1 License.** Subject to scoring a passing grade of seventy (70) percent on the examination hereinafter required, a license for a sign erector shall be issued. The fee for such original and annual renewal shall be fifty dollars (\$50.00). Such license shall be renewable on January first of each year. All applications for examinations shall be filed with an examination fee of twenty-five dollars (\$25.00) in the office of the Building Official. Each licensed sign erector shall register with the city department of development. Applications for a master sign electrician's license and journeyman's sign electrician's license shall be made pursuant to the provisions of Chapter D of the Electrical Code.

**D02.2 License suspension, revocation.** Upon conviction of any licensee under this code for a violation of any provision of this code, such person so convicted shall have his license automatically suspended for a period of thirty (30) days for the first such conviction, for a period of one (1) year for the second such conviction, and for a period of two (2) years for the third such conviction, and, during the time of such suspension, such license shall be and become null and void.

After the termination of such period of suspension, provided such suspension is for less than two (2) years, such license shall again be valid and effective, provided that renewal fees which may have become due thereon, as hereinafter set out, were paid when due. If, within any three-year period, the holder of any license issued under the terms hereof shall have been convicted three (3) or more times for a violation of any of the provisions of this chapter, such holder of such license shall have his license automatically revoked and cancelled, and, upon such revocation and cancellation, said license shall be and become null and void and cannot be renewed thereafter.

**D02.3 Failure to pay license renewal fee.** Any licensee under this article who shall fail to pay the annual renewal fee due for a renewal of the required license within thirty (30)

days of the date the same becomes due shall be required to pay as a renewal fee twice the amount of the annual fee.

**D02.4 Forfeiture of license.** Any licensee under this article who shall fail to pay any renewal fee for such license within one (1) year after the date such fee becomes due shall forfeit his right to obtain such license until he again qualifies himself by passing another examination as required by this chapter.

Any applicant who passes an examination for any grade of license and fails to obtain the license of that grade by paying the fee as prescribed herein within a period of sixty (60) days shall forfeit his right to obtain such license until he again qualifies himself by passing another examination as required by this chapter.

**D02.5. Transfer.** It shall be unlawful for any licensee under this article to permit his name or license to be used by any other person, firm or corporation, directly or indirectly, for the purpose of obtaining a permit or for performing work under such license.

**D02.6. Reexaminations.** Any applicant failing to pass the examination for a license under this article on his first attempt shall not be examined again prior to the expiration of sixty (60) days from the date of such first attempt. Any applicant failing to pass such examination upon his second attempt shall not be examined again prior to the expiration of six (6) calendar months from the date of such second attempt. Any applicant failing to pass such examination on a third or subsequent attempt shall not be examined prior to the expiration of one (1) year from the date of such third or subsequent attempt.

## **SECTION D03 – VEHICLE IDENTIFICATION**

**D03.1. Identification to be displayed.** Every licensed sign erector shall have its company name and erector license number affixed to each front door of each truck or vehicle which said erector operates in connection with the erection and maintenance of non-electrical signs within the city in letters not less than two and one-half (2 1/2) inches in height. The name and number shall be the same on all vehicles so operated by any one (1) licensed sign erector. Such name and number shall not be of the plastic magnetic type.

Those persons having a master sign electrical license shall affix to all vehicles the name and number per the Electrical Code of the City of Fort Worth.

## ARTICLE II - DEFINITIONS

**2.01 Scope.** For the purpose of this code, certain words and terms shall be construed as defined in this section and as defined elsewhere in this code; however, any such words and terms not so specifically defined shall be construed in light of the comprehensive zoning ordinance, the building code or as a trade term.

Unless otherwise expressly stated, the following words and terms shall, for the purposes of this code, have the meanings indicated in this code.

**2.02 Interchangeability.** Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

**2.03 Terms defined in other codes.** Where terms are not defined in this code and are defined in other City adopted codes and ordinances, such terms shall have meanings ascribed to them as in those codes.

**2.04 Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

***Advertised message area.*** That portion of a sign used or intended to be used to display commercial copy, convey information or to attract attention to the subject matter of such sign.

***Approved plastics.*** Any thermoplastic, thermosetting or reinforced thermosetting plastic material that conforms to combustibility classifications specified in the section applicable to the application and plastic type. See Building Code Section 402.14.4 and Chapter 26.

***Building Official.*** The officer or other designated authority charged with the administration and enforcement of this code, or a duly authorized representative. For the purpose of this code, the Code Official shall be the Building Official, and his regularly authorized deputy shall be the Chief Electrical Inspector.

***Commercial copy.*** A message or logo displayed on a sign which relates solely to the economic interests of the advertiser and its audience; a message pertaining to price and product advertising, goods and services.

***Marquee.*** A permanent roofed structure which is attached to and supported by a building and which projects over public property.

***Marquee sign.*** A sign projecting over public property displayed as a part of a marquee.

***non-advertised message area.*** That portion of a sign not used or intended to be used to display commercial copy, convey information or to attract attention to the subject matter of such sign.

***Noncombustible material.*** Materials tested in accordance with ASTM E 136; or materials having a structural base of noncombustible material in accordance with ASTM E 136 with a surfacing not more than 0.125 inch thick that has a flame spread index not greater than 50 when tested in accordance with ASTM E 84.

***Nonstructural trim.*** The moldings, battens, caps, nailing strips, latticing or base and walkways that are attached to a sign.

***Person.*** Any person, firm, partnership, association, corporation, company or organization of any kind.

***Premises.*** A single tract or platted lot. In addition, multiple adjacent tracts or platted lots under common ownership will be deemed to be a single premises if they meet the following requirements:

1. Lots or tracts are not separated by intervening streets, alleys, utility or railroad rights-of-way or other interruption;
2. Property contains a single primary use; and
3. Property is not used for one- or two-family residential purposes.

Tracts or platted lots that are at cross corners or that are connected by narrow strips of land too small to serve as emergency access easements shall not be considered to be adjacent.

***Sign.*** Any surface, fabric, device, display or visual medium, including the component parts, which bears letters, pictorial forms or sculptured matter, including logos, used or intended to be used to convey information or to attract attention to the subject matter of such sign. Graphics painted upon the side of a building which carry no advertising shall not be construed to be a sign, except where such graphics pictorially display products or business that convey an advertising intent. The term "sign" includes the sign structure.

***Sign, animated.*** A sign employing visible moving parts or the changing of colors.

***Sign, attached.*** A sign which is affixed to, or supported by or painted on a building.

***Sign, banner.*** A temporary banner is a sign which is constructed of pliable materials such as canvas, fabric, vinyl plastic or similar materials which will withstand exposure to wind and rain without significant deterioration.

***Sign, changeable copy.*** A sign that is characterized by changeable copy, letters, symbols or numerals that are not permanently affixed to the structure, framing or background allowing the letters, characters, or graphics to be modified from time to time manually or by electronic or mechanical devices, such as but not limited to, a bulletin board, or electronic

message board. Changeable copy signs may not be used to display commercial messages relating to products or services that are not offered on the premise.

***Sign, detached.*** A sign which is supported by structures, supports or foundations in or upon the ground and independent of support from any building.

***Sign, electrical.*** Any sign containing electrical wiring in or upon such sign or its sign structure, but not including any sign illuminated by an exterior light source not attached to such sign or sign structure.

***Sign, flashing.*** A sign that contains an intermittent or sequential flashing light source.

***Sign, freeway.*** A sign which is oriented to be viewed primarily from an adjacent non-signalized freeway.

***Sign, illegal.*** Any sign erected, constructed, enlarged or altered which does not conform to the provisions of the Comprehensive Zoning Ordinance, the Sign Code or other applicable ordinances in effect at the time of erection, construction, enlargement or alteration.

***Sign, illuminated.*** Any sign illuminated in any manner by an artificial light source.

***Sign, kiosk.*** Free-standing sign structure located in or adjacent to public right-of-way that features a City of Fort Worth identification panel at the top of each structure and displays directional information to new homes and municipal facilities and parks.

***Sign, monument.*** Any sign in which a majority of the structure's width is in contact with the ground.

***Sign, nonconforming.*** A sign that was lawfully installed in compliance with all city ordinances applicable at the time of installation, but that does not comply with the current provisions of the Comprehensive Zoning Ordinance, the Sign Code of the City of Fort Worth, or other applicable ordinances.

***Sign, off-premises.*** A sign which advertises businesses, commodities, activities, services or persons which are not usually available or present upon the premises upon which such sign is located, or which directs persons to any location not on the premises. Any sign with more than ten percent (10%) of the sign devoted to such use shall be deemed to be an off-premises sign.

***Sign, on-premises.*** A sign which advertises the business name, owner and/or commodities, activities or services offered on the premises where such sign is located and where at least ninety percent (90%) of the sign is devoted to the advertisement of such business name, owner, commodities, activities or services.

***Sign, pole.*** A detached sign which is supported by one or more poles in or upon the ground.

***Sign, portable.*** A sign whose principal supporting structure is intended by design, use or construction, to be used by resting upon the ground for support and which may be easily moved or relocated for reuse. Portable signs shall include but not be limited to signs mounted upon or designed to be mounted upon a trailer, bench, wheeled carrier or other non-motorized mobile structure with or without wheels.

***Sign, pylon.*** A freestanding sign, which has at least fifty percent (50%) of the sign structure width in contact with the ground and in which the sign face is separated from ground level by means of one or more supports such as poles, pole covers or columns.

***Sign, revolving.*** A sign which revolves on, around, or about a structural support. A structural support includes, but not limited to, a pole, building or other type of support. Revolving parts within the sign shall not be construed as a revolving sign.

***Sign, roof.*** Any sign erected, constructed or maintained on the roof of a building.

***Sign, running light or twinkle.*** A sign with low wattage outline lighting that runs or twinkles.

***Sign structure.*** Any structure which supports or is intended to support any sign.

***Sign, temporary.*** Any sign intended to be displayed for a limited period of time only, including by way of example but not of limitation, any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames or wheels.

***Sign, window.*** Any commercial copy sign located on the internal and or external surface of a window or a glass door, or is located less than ten feet (10') from the window or a glass door of any establishment for the purpose of being visible to and read from the outside of the building.

## ARTICLE III – CONSTRUCTION AND MAINTENANCE

### SECTION 3.01 – GENERAL

#### 3.01.1. General requirements.

(a) As specified in this section, signs shall be designed and constructed to resist wind forces. All bracing systems shall be designed and constructed to transfer lateral forces to the foundation. The dead and lateral loads of building signs shall be transmitted through the structural frame of the building to the ground so as to not over-stress any of the elements thereof.

The overturning moment produced from lateral forces shall in no case exceed two-thirds of the dead-load resisting moment. Uplift due to overturning shall be adequately resisted by proper anchorage to the ground or to the structural frame of the building. The weight of earth superimposed over footings may be used in determining the dead-load resisting moment. Such earth shall be carefully placed and thoroughly compacted.

(b) **Wind loads.** Signs shall be designed and constructed to resist wind forces as specified in Chapter 16 of the Building Code. (basic wind speed  $V_{fm} = 75$  mph, 3-second gust wind speed  $V_{3S} = 90$  mph)

(c) Signs over twenty-five (25) feet in height above grade shall be designed by an engineer licensed by the State of Texas. Plans of such designs shall have affixed thereto the seal of such engineer.

(d) **Allowable stresses.** The design of concrete, steel or wood members shall conform, respectively, to the requirements of Chapters 19, 22 and 23 of the Building Code. Loads, both vertical and horizontal, exerted on the soil shall not produce stresses exceeding those specified in the Building Code.

The working stresses of wire ropes and fastenings shall not exceed twenty-five (25) percent of the ultimate strength of such ropes or fastenings.

Working stresses for windloads combined with dead loads may be increased as specified in the Building Code.

#### 3.01.2 Construction materials.

(a) **General.** The supports of all signs shall be placed in or upon private property and shall be securely built, constructed and erected in conformance with the requirements of this code.

(b) **Materials.** Materials of construction for signs shall be of the quality and grade specified for buildings by the Building Code. In the absence of specified requirements, the materials and details of construction of all signs shall conform to the following:

(1) Structural steel shall be of that quality specified by AISC-LRFD, AISC 335 or AISC-HSS. Secondary members in contact with or directly supporting the display surface may be formed of light gauge steel, provided such members are galvanized and are designed in accordance with the specifications of the design of light gauge steel in accordance with *Standard for Cold-Formed Steel Framing – General Provisions, American Iron and Steel Institute (AISI – General) and AISI-NASPEC*. Secondary members, when formed integrally with the display surface, shall be not less than No. 24 gauge in thickness. When not formed integrally with the display surface, the minimum thickness of the secondary members shall be No. 12 gauge.

The minimum thickness of hot-rolled steel members furnishing structural support for signs shall be one-fourth inch except that, if galvanized, such members shall be not less than three-sixteenths-inch thick.

Steel members may be connected with one (1) galvanized bolt provided the connection is adequate to transfer the stresses to the members.

(2) Anchors and supports, when wood and embedded in the soil or within six (6) inches of the soil, shall be completely heartwood of a durable species or shall be pressure-treated with an approved preservative. Such members shall be marked or branded by an approved agency.

**(c) Restrictions on combustible materials.** All signs erected in the "H" Central Business District shall have structural members of noncombustible materials. In other than "H" Central Business District, detached signs may be constructed of any material meeting the requirements of this code.

Combination signs, attached signs, projecting signs and marquee signs shall be constructed of noncombustible materials, except as provided in subsection (d) of this section. No combustible materials other than approved plastics shall be used in the construction of signs containing electrical wiring.

**(d) Nonstructural trim.** Nonstructural trim and portable display surfaces may be wood, metal, plastics or any combination thereof, or other approved materials.

**(e) Anchorage.** Members supporting unbraced signs shall be so proportioned that the bearing loads imposed on the soil, either horizontally or vertically, shall not exceed the safe values. Braced detached signs shall be anchored to resist the specified wind load acting in any direction. Anchors and supports shall be designed for safe bearing loads on the soil and for an effective resistance-to-pull-out amounting to a force twenty-five (25) percent greater than the required resistance-to-overturning. Anchors and supports shall penetrate to a depth below ground greater than that of the frost line.

Signs attached to masonry, concrete, or steel shall be safely and securely fastened thereto by means of metal anchors, bolts or approved expansion screws of sufficient size and anchorage to support safely the loads applied.

No wooden blocks or plugs or anchors with wood used in connection with screws or nails shall be considered proper anchorage, except in the case of signs attached to wood framing.

No anchor or support of any sign shall be connected to, or supported by, any unbraced parapet wall, unless such wall is designed for such load as required by the Building Code.

**(f) Display surfaces.** Display surfaces in all types of signs may be made of metal, glass, plastics or other approved materials. Glass display surfaces shall conform to the following specifications:

**Size, Thickness and Type of Glass Panels in Signs**

Any dimension (in inches)	Area (in square inches)	Minimum Thickness of Glass (in inches)	Type of Glass
30	500	1/8	Plain, plate or wired
45	700	3/16	Plain, plate or wired
144	3600	¼	Plain, plate or wired
Over 144	Over 3600	¼	Wired glass

Sections of approved plastic on wall signs shall not exceed one hundred fifty (150) square feet in area. Sections of approved plastics on wall signs shall be separated three (3) feet laterally and six (6) feet vertically by required exterior wall construction.

Upon the approval of the Building Official, sections of approved plastics on signs other than wall signs may be of unlimited area. Sections may not be required to be separated by required exterior wall construction if approved by the Building Official.

**(g) Approved plastics.** The Building Official may require that technical data be submitted to substantiate the safety and feasibility of the proposed use of any plastic sign material as a condition of approval of such proposed use. Such data shall include information concerning the strength of such material.

**3.01.3. Minimum clearances.**

**(a) Clearance from high voltage power lines.** Signs shall be located so as to provide the minimum clearances in the following table. The term "overhead conductors" as used in this section means any electrical conductor, either bare or insulated, installed

above the ground, except such conductors as are enclosed in iron pipe or other material covering of equal strength.

Clearance From Overhead Electrical Conductors

Voltage of Supply Conductors	<i>Minimum clearances (feet)</i> Horizontal, Vertical or Radial
300 to 8,700	8
8,700 to 15,000	8
15,000 to 50,000	10
50,000 to 138,000	20
138,000 to 345,000	30

**(b) Clearance from fire escapes, exits or standpipes.** No sign shall be erected in such a manner that any portion of its surface or supports will interfere in any way with the free use of any fire escape, exit or standpipe.

**(c) Obstruction of openings.** No sign shall obstruct any opening to such an extent that light or ventilation is reduced to a point below that required by law or ordinance. No such sign shall be within twenty-four (24) inches of such opening. Signs erected within five (5) feet of an exterior wall in which there are openings within the area of the sign shall be constructed of noncombustible material or approved plastics.

**SECTION 3.02 - TEMPORARY SIGNS**

**3.02. General.** All temporary signs not previously exempted under Section A01.3(c), including portable signs, portable signs on trailers and banners, shall require a permit and be subject to the following:

1. Signs shall be a maximum size of 60 square feet. Portable signs and portable signs on trailers shall not exceed 7' in height.
2. Only one such sign shall be allowed per business, not to exceed two signs per platted lot. On lots with more than 300 feet of street frontage, one sign shall be allowed per business, not to exceed three signs.
3. No temporary signs shall be located within 100 feet of another temporary sign.
4. Temporary portable signs, portable signs on trailers and banners shall be allowed to be displayed for 30 consecutive days, starting from the date of permit issuance, provided only one sign or banner shall be permitted during the 30 day period. After the expiration date of the permit, the sign or banner shall be immediately removed. There must be at least 30 days between the display of each sign or banner.
5. Temporary signs may remain in place only so long as they remain in a good state of repair, not to exceed the time limits specified above.

## SECTION 3.03 – CLOTH SIGNS

**3.03. Cloth signs.** Every temporary cloth sign shall be supported and attached with wire rope of three-eighth-inch minimum diameter. No strings, fiber ropes or wood slats shall be permitted for support or anchorage of such sign. Cloth signs and panels shall be perforated on at least ten (10) percent of their area in order to reduce wind resistance.

**Exception:** Temporary cloth signs not exceeding sixty (60) square feet erected on or over private property shall be supported and attached with wire rope so as to be in compliance with the requirements of Article III of this code.

## SECTION 3.04 - ELECTRICAL

**3.04.1. General.** All electrical installation relating to signs, outline lighting or other equipment under the authority of this code shall be installed, replaced, removed, altered, repaired or maintained in accordance with the provisions of the Electrical Code.

**3.04.2. Specific.** Article 600.10 of the Electrical Code, as it is related to this code, is amended as noted herein:

\*Article 600.10 of the Electrical Code, as it is related to this code, is amended as noted herein:

### **600.10. Portable or Mobile Signs.**

**Interior** - Shall be those signs that are small in nature, usually hung from hooks in the wall or ceiling with an electrical cord for plug in or direct connection to an electrical source. These signs shall not be permitted to be installed in an outside location.

**Exterior** - Shall be those signs that are set on the exterior, usually but not always in the parking lot, limited in size as described in the Zoning and Sign Code, some of which may have wheels installed to permit the towing behind a vehicle.

### **600.11. Interior.**

**(A) Support.** Portable or mobile signs shall be adequately supported and readily movable without the use of tools.

**(B) Attachment Plug.** An attachment plug shall be provided for each portable or mobile sign.

**(C) Wet or Damp Location.** Portable or mobile signs in wet or damp locations shall

comply with 600.10(C)(1) and (C)(2).

- (1) **Cords.** All cords shall be junior hard service or hard service types as designated in Table 400.4, and have an equipment grounding conductor.
- (2) **Ground-Fault Circuit Interrupter.** Portable or mobile signs shall be provided with factory-installed ground-fault circuit-interrupter protection for personnel. The ground-fault circuit interrupter shall be an integral part of the attachment plug or shall be located in the power-supply cord within 12 in. (300 mm) of the attachment plug.

**(D) Dry Location.** Portable or mobile signs in dry locations shall meet the following.

- (1) Cords shall be SP-2, SPE-2, SPT-2, or heavier, as designated in Table 400.4.
- (2) The cord shall not exceed 15 ft (4.5 m) in length.

### **600.12. Exterior.**

- (A) Exterior portable or mobile signs shall **not** be illuminated by any electrical source. Those signs equipped with an electrical cord shall have it removed.
- (B) Signs shall be adequately secured to prevent overturning by wind.

## **SECTION 3.05 – MARKERS**

### **3.05. Markers identifying sign owners and registration numbers.**

(a) **On-premises signs.** There shall be placed and maintained in plain view on each detached on-premises sign not specifically exempt herein a three-inch by five-inch marker that identifies the person, firm or corporation owning or controlling the sign. The marker shall be placed on the detached sign not to exceed eleven (11) feet above ground level.

(b) **Off-premises signs.** All off-premises signs shall display a placard on the lower portion of the message or edging board that identifies the person, firm or corporation owning or controlling the sign. Those signs required to be registered in accordance with Section 5.01 shall also display the sign registration number in the same location. The placard shall be placed in a location with letters and numbers that are visible from the street and are at least five (5) inches high.

## **SECTION 3.06 – MAINTENANCE**

**3.06. Maintenance of signs.** Each sign, together with its support braces, guys, anchors and footing shall be kept in repair and maintained in good condition. The display surface of each sign shall be kept neatly painted or posted at all times.

For alterations and maintenance of off-premise signs, see Section 5.02.3 and 6.405 of the Zoning ordinance.

## **ARTICLE IV – ENCROACHMENTS, TRAFFIC HAZARDS AND PROHIBITED SIGNS**

### **SECTION 4.01 - ENCROACHMENTS**

#### **4.01.1 Requirements.**

(a) No person shall post, fasten, erect, display or locate any sign on any structure, tree, pole, curb or elsewhere within the right-of-way of any public street or upon any public property without the permission of the city council, with the exception of directional and warning signs installed in the public right-of-way by a government agency. Except as provided in paragraph (d) below, no sign shall encroach into a public right-of-way until an encroachment agreement has been executed with the city and a policy of public liability insurance for such encroachment has been secured as provided in the Building Code.

(b) No sign with a clearance of less than eleven (11) feet (measured from the bottom of the sign) shall encroach over street right-of-way. A sign with a clearance of eleven (11) feet or more may project a maximum of two (2) feet over the street right-of-way if approved by the Building Official as provided in the Building Code.

(c) No sign with a clearance of less than sixteen (16) feet shall project into a public alley. A sign with a clearance of sixteen (16) feet or more may project a maximum of six (6) inches into a public alley if approved by the Building Official as provided in the Building Code.

(d) The city council may authorize the city traffic engineer under specified guidelines to permit temporary public interest signs which encroach into the public right-of-way. Temporary cloth signs which extend over a public street shall have a minimum clearance of twenty (20) feet.

(e) Hospitals and hospital districts proposing to erect signs prohibited by subsections (b) and (c) of this section shall be permitted to erect same, provided that such signs are for the purpose of public instruction, traffic control and similar uses incidental to the public interest and are not business signs, and provided further that the city council has approved the location of such signs and that the hospital or hospital district has executed an encroachment agreement with the city and has secured a policy of public liability insurance for such encroachment as provided in the Building Code.

**4.01.2 Existing sign encroachments.** The owner of any existing sign which encroaches into the public right-of-way shall apply for and execute an encroachment agreement with the city and furnish public liability insurance coverage within six (6) months from the effective date of this code. The owner of any such encroaching sign who fails to comply with this section shall be deemed to be in violation of this code and shall be subject to the penalties contained herein. In addition, any such sign that is not subject to a valid

encroachment agreement within the time stated above shall be deemed an illegal sign and shall be subject to removal at any time.

**4.01.3. Fee.** In addition to those fees otherwise required by this chapter, an initial application fee and annual inspection fee shall be levied for all approved sign encroachments. Such fees shall be as provided in the Building Code.

**4.01.4. Removal of encroachment constituting obstruction.** Any sign encroachment that does not meet the requirements of this code or the Building Code shall be deemed an obstruction into such right-of-way. The Building Official shall notify in writing the record owner of such sign or record owner of that property upon which such sign is located to correct the violation or to remove such obstruction within thirty (30) days, after which time the city may abate such obstruction and affix a lien against the property for the cost involved.

## **SECTOION 4.02 – TRAFFIC HAZARDS**

### **4.02.1. Traffic Location Restrictions.**

(a) No sign with a ground clearance of less than eleven (11) feet may be erected within twenty (20) feet of a driveway or other ingress/egress to the property; nor shall any such sign be erected within any corner clip or public open space easement (p.o.s.e.). No sign pole shall be greater than ten (10) inches in diameter within such a corner clip or p.o.s.e. See Figure 4.02.1.

**Exception:** In one- and two-family yards a sign may be within twenty (20) feet of a driveway. When the sign is within ten (10) feet of the back of the curb, or street edge when without a curb, it must be in compliance with all of the following provisions:

- (1) No sign shall be permitted in the right-of-way.
- (2) When not in the right-of-way, no sign shall be permitted within three (3) feet of the back of the curb, or street edge when without a curb.
- (3) Signs that are not in the right-of-way may be more than three (3) feet and within ten (10) feet of the back of the curb, or street edge when without a curb, provided the maximum height is four (4) feet and the size does not exceed eight (8) square feet.

(b) Hospitals and hospital districts proposing to erect signs prohibited by subsection (a) of this section shall be permitted to erect same, provided that such signs are for the purpose of public instruction, traffic control and similar uses incidental to the public interest, and are not business signs, and provided further that the city council has approved the location of such signs and, if applicable, that the hospital or hospital district has executed an encroachment agreement with the city and has secured a policy of public liability insurance for such encroachment as provided in the Building Code.

**4.02.2. Traffic Location - Prohibited signs.** Signs with the following characteristics shall not be erected within that cross-hatched area as indicated by Figure 4.02.2.

- (a) Revolving signs;
- (b) Signs obscuring or interfering with the operation of traffic control devices;
- (c) Signs employing lights colored similarly to those used in traffic control and emergency devices. Such colors shall include by way of example but not limitation, red, amber, green and blue.

## **SECTION 4.03 – PROHIBITED SIGNS**

**4.03.1. Prohibited signs.** The following signs are prohibited:

(a) Off-premise signs, unless provisions for such signs are contained within these regulations and the Comprehensive Zoning Ordinance.

(b) Signs erected in violation of the Building Code, Electrical Code, Zoning Code, this code or other applicable local regulations.

(c) Signs erected in violation of federal or state law.

(d) Pole signs.

(e) Portable signs, except those allowed under Section 3.02.

(f) Animated signs, flashing signs, running message, twinkle or running light signs, and revolving signs or any other sign that moves, except electronic changeable copy signs when permitted by the Zoning Code.

For those electronic changeable copy signs, the message rate shall not change at a rate faster than one message every 20 seconds and the interval between messages shall be a minimum of one second.

(g) Signs illuminated to such intensity or brilliance as to cause glare or impair vision. Lighting shall be shielded upward to prevent beams or rays from being directed at any portion of a traveled roadway or an occupied residential area. Nothing herein shall be construed to permit the lighting of signs near airports which would conflict with any regulations adopted by the Federal Aviation Administration in the furtherance of air safety. This requirement shall not apply to internally lit signs with a lighting intensity of less than 150 foot lamberts.

(h) Signs erected in or projecting into the public right-of-way except as permitted in Section 4.01.

- (i) Signs on vehicles or trailers that are parked or located for the primary purpose of displaying the sign. It shall be prima facie evidence that the primary purpose of a vehicle or trailer is to display a sign if the vehicle or trailer is parked on a site for a continuous period exceeding 72 hours.
- (j) “V” type signs with a face that protrudes from the opposite face at an interior angle greater than 25 degrees. This restriction shall not be construed to prevent oval, cylindrical or box type signs.
- (k) Signs with sign structure larger than is reasonably necessary to support the sign.

Figure 4.02.1 Traffic Hazard Clearance

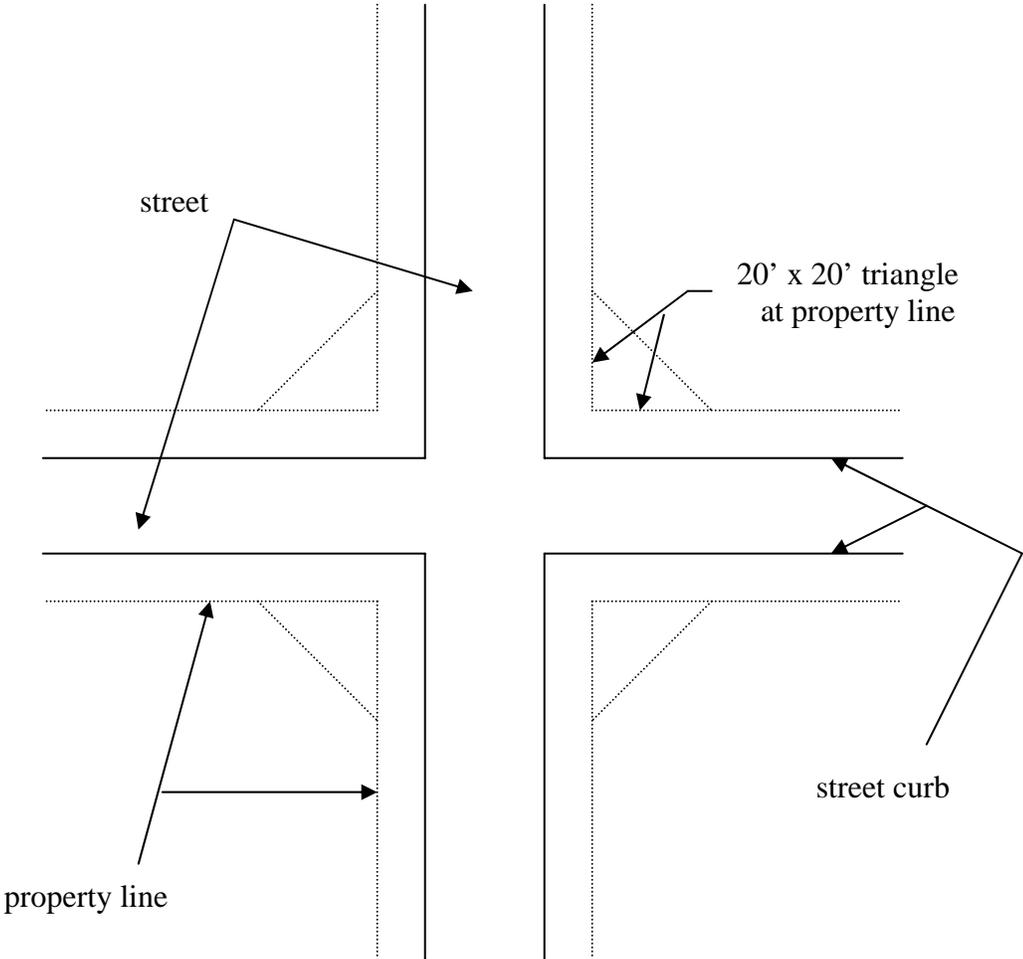
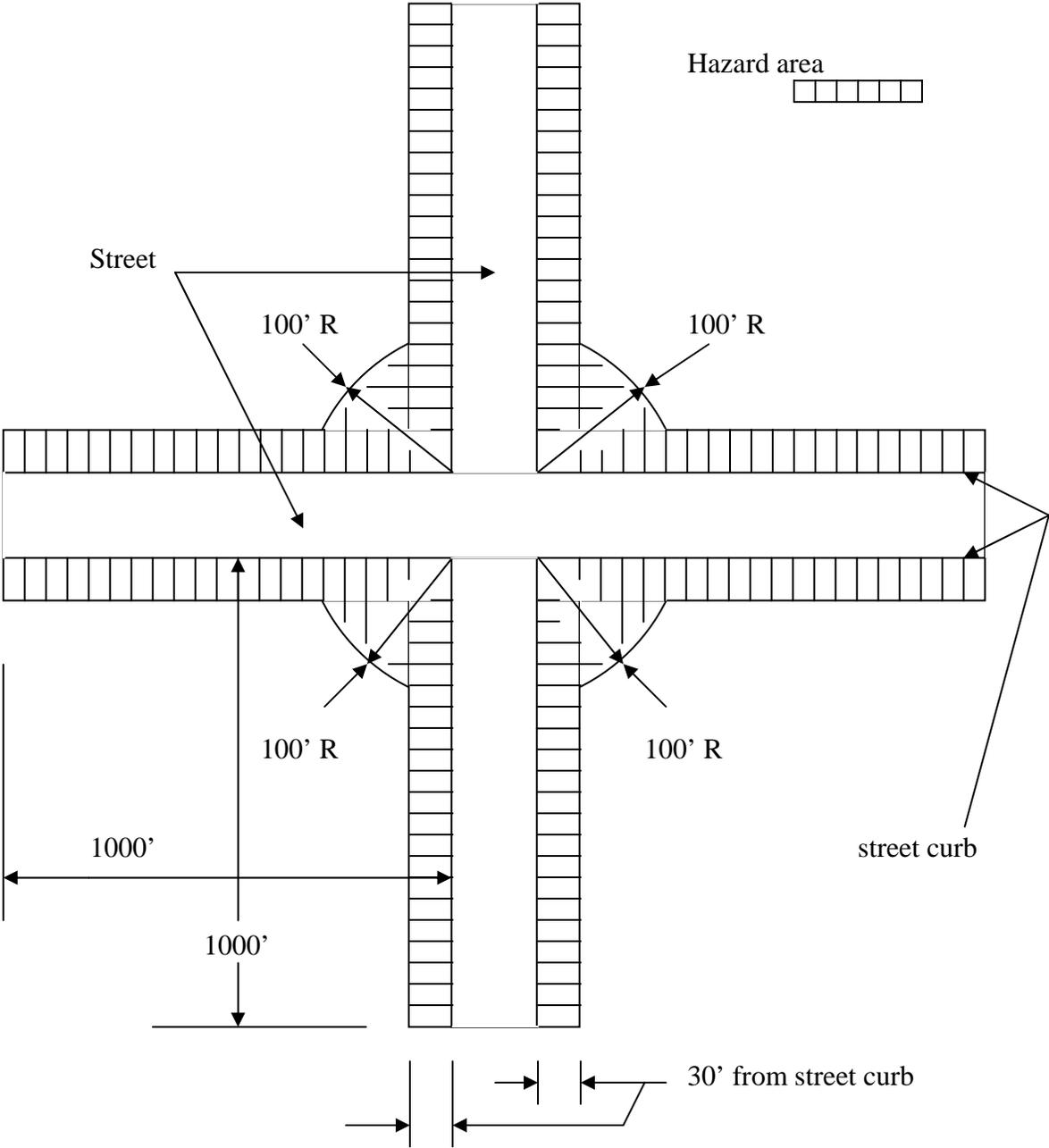


Figure 4.02.2, Traffic Hazard Clearance



## ARTICLE V – OFF-PREMISE SIGNS

### SECTION 5.01 REGISTRATION OF OFF-PREMISE SIGNS

#### 5.01. Registration of off-premise signs.

(a) The owner of any off-premises sign existing within the City of Fort Worth on November 5, 1997, shall register such sign with the Building Official and pay the registration fee as required in Table 5.01 on or before January 2, 1998. The owner of any off-premises sign in the extraterritorial jurisdiction shall register such sign with the Building Official and pay the registration fee as required in Table 5.01 on or before October 1, 2000.

**Exceptions:** Signs listed in Section 6.402 of the zoning ordinance or Section 5.02.2 and signs subject to a unified sign agreement shall be exempt from the registration requirements.

(b) The owner of any off-premise sign installed after November 5, 1997, shall submit an application for registration simultaneously with the sign permit application. This initial registration shall be exempt from the registration fee as required in Table 5.01. If the sign permit is approved and the sign constructed, this initial registration shall expire three (3) years after the date of permit application.

**Exceptions:** Signs listed in Section 6.402 of the zoning ordinance and signs subject to a unified sign agreement shall be exempt from the registration requirements.

(c) Registrations approved under paragraphs (a) and (b) above and all renewals shall expire after three (3) years. Before such registration or renewal expires the registration must be renewed and the registration fee must be paid in accordance with Table 5.01. It is the owner's responsibility to monitor expiration dates and to renew the registration in a timely manner.

**Exceptions:** Based upon staffing and work loads, the Building Official may adjust expiration dates to be less than three (3) years as long as the fees are appropriately prorated.

(d) Registration shall be applied for on forms provided by the Building Official. The Building Official may require the filing of plans or other pertinent information when, in his opinion, such information is necessary to insure compliance with this section.

Whenever information on the form changes, including but not limited to names and addresses, a new registration form shall be filled out by the owner and submitted to the Building Official within thirty (30) days, along with a change of record fee as required by Table 5.01.

(e) A late fee shall be assessed against the owners of off-premises signs who fail to register as required by this section. The late fee as shown in Table 5.01 shall be assessed if the registration fee is not received within ten (10) calendar days after the due date.

Failure to register or renew registration of a sign within thirty (30) calendar days after the due date in accordance with the provisions of this section shall constitute a violation of this code.

TABLE 5.01

Sign registration, per 3 years . . .	\$75.00
Late fee . . . . .	\$50.00
Change of record . . . . .	\$10.00

**SECTION 5.02 - OFF-PREMISES SIGNS IN THE EXTRATERRITORIAL JURISDICTION**

**5.02.1. General.** Off-premises signs in the extraterritorial jurisdiction shall comply with this code, with the exception of exempt signs identified in Section A01.3. This code does not apply to on-premises signs in the extraterritorial jurisdiction.

**5.02.2. Construction of off-premises signs prohibited in extraterritorial jurisdiction.** The construction of off-premises signs is hereby prohibited in the extraterritorial jurisdiction, with the following exceptions, which may be constructed in the extraterritorial jurisdiction without obtaining a permit pursuant to Chapter C:

1. Subdivision directional signs are permitted, subject to the following:
  - a. Signs shall be a maximum size of sixty-four (64) square feet.
  - b. Signs may placed only on unimproved property, with the permission of the owner.
  - c. Signs must be placed at least one hundred (100) feet from any other subdivision or developer signs.
  - d. Signs may be erected for a maximum of one year unless an additional one-year extension is given by the city council. The city council may approve a maximum of two (2) one-year periods.
2. Homebuilder signs are permitted, subject to the following:
  - a. Signs will be allowed between noon Friday and noon Monday only.
  - b. Signs shall not exceed twenty-four (24) inches by thirty (30) inches in size, nor shall they be installed more than four (4) feet above grade.
  - c. Signs shall have a minimum separation of twenty-five (25) feet and signs for any one (1) advertiser must be at least two hundred (200) feet apart.
  - d. Signs shall not be located closer than forty (40) feet to street intersection.
  - e. Signs shall not be located in the public right-of-way.
  - f. Signs shall not be located more than three (3) miles from the subject property.
  - g. Signs shall be rigid, two-dimensional displays that advertise only new one- and two-family properties for sale.



five-day period is not more than sixty (60) percent of the cost of erecting a new sign of the same type at the same location. The 365-day period limitation shall not apply to a sign that has been blown down or otherwise destroyed as described in paragraph 2 above. Examples of actions that are not maintenance operations and are therefore prohibited include, without limitation: (1) converting a sign from a multiple pole structure to a monopole structure; (2) replacing wooden components with metal components; (3) increasing the area or height of a sign, except for increases in area permitted under subsection (1) above; (4) adding illumination to a non-illuminated sign; (5) adding additional display faces; and (6) converting a sign to utilize animated display or moveable copy technology, including but not limited to signs featuring Tri-Vision technology. If a sign is dismantled for any purpose other than an alteration or maintenance operation permitted hereunder, the sign may not be altered, reconstructed, repaired or replaced, and the owner shall remove the sign or bring it into compliance with this chapter and all other applicable ordinances.

4. All other alterations of any nature whatsoever in connection with nonconforming signs are prohibited. If any such alteration is performed, the owner shall remove the sign or bring it into compliance with this chapter and all other applicable ordinances. The cost of any accessory use to a sign, including without limitation a communication antenna and support facilities, shall not be included in calculating the cost of erecting a new sign at the same location pursuant to subsections (2) and (3) above.

#### **Sec. 29-2 Effect of Conflict with Other Ordinances.**

This chapter shall be cumulative of all provisions of ordinances of the Code of the City of Fort Worth, Texas (1986), affecting Sign Code provisions, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

#### **Sec. 29-3 Penalty for violation.**

Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000.00) for all violations involving fire safety, or public health and sanitation and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day or any portion thereof during which any violation of this ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

## **SECTION 2**

**Sec. 29-4 thru 29-138. Reserved.**

## **SECTION 3.**

This article shall be cumulative of all provisions of ordinances of the Code of the City of Fort Worth, Texas (1986), affecting Sign Code provisions, as amended, and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

## **SECTION 4.**

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph, or section of this ordinance shall be declared void, ineffective, or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness, or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such void, ineffective, or unconstitutional phrase, clause, sentence, paragraph, or section.

## **SECTION 5.**

Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine not to exceed Two Thousand Dollars (\$2,000.00) for all violations involving fire safety, or public health and sanitation and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day or any portion thereof during which any violation of this ordinance occurs or continues shall be deemed a separate offense and upon conviction thereof shall be punishable as herein provided.

## **SECTION 6.**

All rights and remedies of the City of Fort Worth, Texas are expressly saved as to any and all violations of the previous Sign Code, or any other ordinances affecting construction and fire safety, which have accrued at the time of the effective date of this ordinance: and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 7.**

The Department of Development of the City of Fort Worth, Texas, is hereby authorized to publish this ordinance in pamphlet form for general distribution among the public, and the operative provisions of this ordinance as so published shall be admissible in evidence in all courts without further proof than the production thereof, as provided in Chapter XXV, Section 3, of the Charter of the City of Fort Worth, Texas.

**SECTION 8.**

The City Secretary of the City of Fort Worth, is hereby directed to publish the caption and Sections 1, 5, 8 and 9 of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas as authorized by Section 2, Chapter XXV of the Charter of the City of Fort Worth, Texas and by Section 52.013 (a) of the Texas Local Government Code.

**SECTION 9.**

This ordinance shall take effect upon adoption and publication as required by law.

APPROVED AS TO FORM AND LEGALITY:

By: \_\_\_\_\_  
Assistant City Attorney

**Ordinance 15953**

Adopted: \_\_\_\_4-13-04\_\_\_\_\_

Effective: \_\_\_\_4-20-04\_\_\_\_\_

**Ordinance 16166**

Adopted: \_\_\_\_10-12-04\_\_\_\_\_

Effective: \_\_\_\_10-25-04\_\_\_\_\_

**Ordinance 16765**

Adopted: \_\_\_\_\_

Effective: \_\_\_\_\_2-5-06\_\_\_\_\_

**Ordinance 17205**

Adopted: \_\_\_\_\_9-26-06\_\_\_\_\_

Effective: \_\_\_\_\_10-2-06\_\_\_\_\_

**Ordinance 17522**

Adopted: \_\_\_\_\_4-24-07\_\_\_\_\_

Effective: \_\_\_\_\_5-3-07\_\_\_\_\_

**Ordinance 17960**

Adopted: \_\_\_\_\_1-29-08\_\_\_\_\_

Effective: \_\_\_\_\_2-5-08\_\_\_\_\_

3-12-08