

ORDINANCE NO. 1011

AN ORDINANCE
ADOPTING A MORATORIUM ON NEW OFF-PREMISES
SIGNS, INCLUDING BILLBOARDS AND ELECTRONIC
SIGNS.

WHEREAS, the Town of Hollywood Park is a premier residential neighborhood bordered on two sides by major expressways with a few businesses adjacent to the expressways; and

WHEREAS, the Town desires to protect the beauty and integrity of its residential ambience by limiting the negative effects of sign proliferation; and

WHEREAS, there are numerous and complex laws and court rulings which address sign freedom of speech provisions grounded on the United States and State of Texas Constitutions; and

WHEREAS, the sign industry has evolved toward the elimination of numerous static billboards in favor of fewer electronic digital signs; and

WHEREAS, the Texas Legislature is currently in session and likely to address sign rules and regulations during such session; and

WHEREAS, a temporary moratorium scheduled to expire at the end of the current Texas Legislative session would provide an opportunity for the City Council and the public to carefully review applicable law and public policy regarding off-premises signs in the Town to enhance the health, safety and welfare of the public and the citizens of the Town.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF HOLLYWOOD PARK, TEXAS as follows:

SECTION 1. INTENT

It is the intent of this ordinance to limit temporarily authorization for the installation of any new off-premises signs until the expiration of the current Texas Legislative session on May 31, 2019. The purpose of this ordinance is to promote the orderly consideration of additional off-premises signs in the Town of Hollywood Park in order to protect the health, safety and general welfare of the citizens of the Town of Hollywood Park. It is not the intent of this ordinance to deny development rights protected by law.

SECTION 2. LIMITATION OF ACCEPTANCE OF APPLICATIONS

Except as otherwise provided herein, after adoption of this ordinance, and extending for the duration of this moratorium, no employee, officer, agent, department or board of the Town shall (1) accept for filing an application for an off-premises sign or (2) process any previously filed but not accepted or rejected application. If any additional off-premises sign application is submitted to the Town, the Town shall take no action on it and shall return it, with any proffered application fee, to the applicant.

SECTION 3. TERM OF MORATORIUM

Unless extended or shortened by the City Council, this ordinance shall continue in effect until May 31, 2019 at 11:59 p.m.

SECTION 4. APPEALS

If any off-premises sign applicant asserts that such applicant's rights protected by law will be deprived because of this moratorium, the applicant may appeal such deprivation to the City Council. The appeal shall be in writing and shall be transmitted to the City Secretary accompanied by all documents necessary and appropriate to support such assertion. The appeal shall be considered by the City Council within thirty days after the appeal is received in the office

of the City Secretary, unless the applicant requests a later hearing. If the City Council determines that application of this ordinance to the applicant would be likely to deprive the applicant's rights protected by law, then the City Council shall review the appeal and determine an appropriate action.

SECTION 5. SEVERABILITY

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 final decree of a 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.

SECTION 6. EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

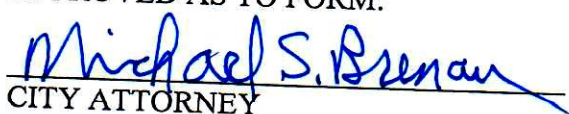
PASSED AND APPROVED this 20th day of February, 2019.


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY