

ORDINANCE NO. 2016-21

AN ORDINANCE AMENDING PROVISIONS OF ARTICLE 3.600 "SIGNS" OF THE CODE OF ORDINANCES OF THE CITY OF BRIDGEPORT, TEXAS TO PERMIT CERTAIN ELECTRONIC MESSAGE SIGNS; AND AMENDING SECTION 3.603 TO INCORPORATE THE CURRENT BUILDING CODE OF THE CITY; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bridgeport is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council finds it necessary to amend portions of Article 3.600 "Signs" of the City Code to allow and regulate certain electronic message signs, and to incorporate the current adopted building code of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, THAT:

SECTION 1.

That Section 3.603 "International Building Code" of Article 3.600 "Signs" of the Bridgeport Code of Ordinances is hereby amended to read as follows:

"Sec. 3.603 International Building Code

All signs permitted under this article shall be constructed in accordance with the provisions of this article and the currently adopted official Building Code of the City. In the event of a conflict between this article and the Building Code, the provisions set forth in this article shall prevail."

SECTION 2.

That Section 3.604 "Definitions" of Article 3.600 "Signs" of the Bridgeport Code of Ordinances is hereby amended to add a definition of "Electronic Message Signs" to read as follows:

Sec. 3.604 Definitions

...

“Electronic Message Signs. A sign or portion of a sign that utilizes changeable copy messages through internal illumination through light emitting diodes (LEDs) or other light source to form a message in text form only, wherein the sequence of messages and the rate of change is electronically programmed and can be modified. This definition excludes television screens, plasma screens, digital screens, holographic displays and other similar media capable of providing moving pictures, video or images.”

...

The remaining definitions in Section 3.604 shall remain in full force and effect.

SECTION 3.

That Section 3.606(a)(1) of Article 3.600 “Signs” of the Bridgeport Code of Ordinances is hereby amended in its entirety to read as follows:

Sec. 3.606 Prohibited Signs

(a) A person commits an offense if the person:

(1) Illuminates a sign to an intensity that causes glare or brightness to a degree that could constitute a hazard or nuisance. Moving, flashing, intermittently lighted, changing color, scrolling, strobe lights, rotating beacons, revolving, static or moving digital/video display, or similarly constructed signs are prohibited without approval by the city council;”

...

The remainder of Section 3.606 shall remain in full force and effect.

SECTION 4.

That of Article 3.600 “Signs” of the Bridgeport Code of Ordinances is hereby amended to add a new Section 3.6125 “Electronic Message Signs” to read as follows:

“Sec.3.6125 Electronic Message Signs

Electronic message signs shall be static, and are subject to the same size, height and location requirements as other signs regulated by this article, and are additionally subject to the following restrictions:

- (1) Electronic message signs shall be text only displays in one color at a time, and shall not contain animation, flashing lights, moving or still pictures, or other video display as part of the sign. Text only displays shall have a uniform and non-conspicuous background color.
- (2) Electronic message signs are permitted only in non-residential zoning districts.
- (3) The electronic message portion of the sign shall not exceed forty percent (40%) of the total sign face permitted, and shall not be the only sign face.
- (4) An electronic message sign shall not emit audible sounds.
- (5) Electronic message signs may not be used to display messages relating to products or services that are not offered on the premises; except such signs may display time and temperature, public service announcements and announcements regarding community events.
- (6) Changeable copy or text shall not change more frequently than every twenty (20) seconds.
- (7) Electronic message signs must be equipped to automatically dim after dark and must be equipped to adjust the intensity of the display according to natural ambient light conditions, reducing brightness in dark conditions and increasing brightness in light conditions.
- (8) The light produced from an electronic sign shall not exceed 0.3 footcandles (fc) over ambient light levels. Measurements shall be taken perpendicular to the face of the sign at a distance of 150 feet.
- (9) No electronic message sign shall be located within one hundred and fifty (150) feet of property zoned for a single family residence, measured in a line from the front façade of the residence to the adjoining property line, along the property line to the right-of-way line, along the right-of-way line to the sign."

SECTION 5.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Bridgeport, Texas, as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 6.

It is hereby declared to be the intention of the City Council that the phrases,

clauses, sentences, paragraphs, and sections of this ordinance are severable, and if a phrase, clause, sentence, paragraph, or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not effect 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 the unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 7.

All rights and remedies of the City of Bridgeport are expressly saved as to any and all violations of the provisions of any ordinances governing signs as of the effective date of this ordinance; and any accrued violations, or pending litigation, both civil and criminal, whether pending in court or not under such ordinances, shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 8.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense involving fire safety, zoning 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 that a violation is permitted to exist shall constitute a separate offense.

SECTION 9.

The City Secretary of the City of Bridgeport is hereby directed to publish a descriptive caption, penalty clause, and the effective date clause in the official City newspaper one time as authorized by Section 52.013 of the Texas Local Government Code.

SECTION 10.

This ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 13 DAY OF June, 2016.

APPROVED:

Randy Singleton

Randy Singleton, Mayor

ATTEST:

Erika McComis

Erika McComis, City Secretary

