



## MEMORANDUM

**To:** Mayor and City Council

**From:** Mindi Hurley, Director of Community Development

**Date:** October 12, 2021

**Reference:** Consider approval of an Ordinance extending the moratorium against enforcement on Sections 6-15-3 (A), 6-15-4 and 6-15-5 (3) (A) and (B), (J) - (M), (4) and (8), Article 16 “Business Regulations” of Chapter 6-15 “Temporary Signs” for a period of time until December 31, 2021; and authorizing the Mayor to sign.

**2040:** Create Business and Innovation Nodes

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### Introduction:

On May 12, 2020, City Council approved an Ordinance that declared a moratorium of enforcement on certain sections of Article 16, Chapter 6 of the City of Coppell Code of Ordinances that pertains to on-premise temporary signs. City Council passed this Ordinance due to COVID-19 because the pandemic impacted so many businesses that were forced to close or limit their service offerings. In order to help them in their recovery efforts, the City wanted to allow businesses more opportunities to advertise their services using on-premise temporary signage.

The Ordinance placed a moratorium on enforcement of certain sections of Article 16, Chapter 6-15, Sections 6-15-3 (A), 6-15-4 and 6-15-5 (3) (A) and (B), (J)-(M) and (8) of the City of Coppell Code of Ordinances. Those sections read as follows:

### **Sec. 6-15-3. - Signs.**

It is declared purpose of this section that in time all temporary signs shall either conform to the provisions of this section or be removed. By the passage of this ordinance and its amendments, no presently illegal sign shall be deemed to have legalized unless such sign complies with all current standards under the terms of this article and all other ordinances of the city. Any sign which does not conform to all provisions of this article shall be a prohibited sign.

(A)

No person may place, erect, or otherwise maintain any sign, as defined herein, either prior to or after the adoption of this ordinance, except as permitted in this article or under the Chapter 12, and, on any private property such sign in violation of this article, same shall be construed as a public

nuisance and the city may, without notice, remove and destroy any such sign, except as provided herein.

**Sec. 6-15-4. - Permit procedures and fees.**

1.

*Permits:* No person shall erect, construct, relocate, alter, or repair any on premise or off-premise on any property except as authorized or permitted under this article. All signs permitted under this article shall not be placed, erected or maintained unless a permit is issued in accordance with this chapter, except as otherwise provided in this section. This section does not apply to government signs.

2.

*Application:* Application for a permit shall include a drawing to scale of the proposed sign and all existing signs maintained on the premises and visible from the right-of-way, and the sign specifications.

3.

*Fees:* Every applicant, before being granted a permit, shall pay the applicable fee established by resolution of the city council.

(A)

Any person who erects, places, alters, repairs or relocates a sign, or commences work thereon, without first having obtained a permit, shall pay a late fee equal to twice the amount of the applicable sign permit fee.

4.

*[Permanent sign.]* Any permanent sign placed, erected or maintained are exempt from this article.

**Sec. 6-15-5. - Provisions for all zoning districts.**

3.

*Prohibited signs:* The following types of signs are specifically prohibited.

(A)

Portable signs.

(B)

Balloons, streamers, bunting, banners, flags, flag poles, pole signs or signs that contain moving parts unless otherwise specifically allowed by this section.

(J)

A-framed signs (signs located in the back of a truck or other vehicle).

(K)

Can signs made of plastic or similar translucent materials.

(L)

Hand-held signs, except as provided in subsection 2.(C) of this section.

(M)

Inflatable signs.

8.

*Temporary banner signs:* Banner signs shall be permitted subject to the following restrictions:

(A)

Banner signs shall be constructed of cloth or canvas material and must be anchored in such a way that would prevent the sign from moving freely in the wind. Businesses that erect signs under the provisions of this section shall not display a sign that states "Going Out of Business" or similar message more than one time.

(B)

During the initial year of operation, a business shall be permitted to erect one temporary banner sign a maximum of five times. Such signs shall be erected a maximum of 14 days for each permit except the initial sign may be erected for a maximum of 45 days. In addition, a business shall also be permitted to erect one grand opening temporary banner sign at the same time as the initial 45day banner is up. Such sign shall be erected a maximum of 14 days. A permit shall not be issued within 15 days of the date that any temporary banner sign was erected at the occupancy. The permit application for the sign must include the date the sign will be erected, the date the sign will be removed and a drawing showing the location of the sign. The effective area for such signs shall not exceed 40 square feet.

(C)

A business that has been in operation for a period of one year or more, and non-profit organizations, shall be permitted to erect one temporary banner sign at a location five times per calendar year. Such signs shall be erected a maximum of 14 days for each permit. A permit, for such a sign, shall not be issued within 15 days of the date that any temporary banners sign was erected at the location. The effective area for such signs shall not exceed 40 square feet.

(D)

New multi-family developments shall be allowed to display one banner sign as provided in this section. Signs shall refer to leasing information only and shall be removed within six months of the date the permit was issued. Signs shall not exceed 150 square feet in effective area. Signs shall be constructed of vinyl cloth or canvas material and must be anchored in such a way that would prevent the sign from moving freely in the wind.

(E)

A banner may be erected on a lot adjacent to structure if the business owns both lots.

**Analysis:**

The original Ordinance was set to expire on December 31, 2020. City Council has approved several

extensions, with the most current Ordinance expiring on September 30, 2021. During Work Session at the City Council meeting on September 28, 2021, City Council expressed their desire to extend the Ordinance once again. While the restrictions on occupancy levels have been removed, businesses are still trying to recover; therefore, City Council would like to allow the use of on-premise temporary signage for three additional months. If approved by City Council, the proposed Ordinance will now expire on December 31, 2021. All temporary sign regulations will go back into place on January 1, 2022. A letter will be mailed to all businesses in Coppell on December 1, 2021 to inform them that the current moratorium will expire and all regular restrictions will be back in place on January 1, 2022.

As before, this moratorium is intended to allow businesses to use temporary signage on-premise that is typically prohibited including but not limited to balloons, banners and feather signs. Temporary signs cannot be placed in the Right-of-Way. And, this does not apply to off-premise signs or other signs that are otherwise prohibited by the Temporary Sign Ordinance. This moratorium will expire as stated above.

**Legal Review:**

Bob Hager drafted the Ordinance.

**Fiscal Impact:**

N/A

**Recommendation:**

Staff recommends approval.