

be placed on each structure in the manner provided by this section and no person shall thereafter willfully deface, injure or remove any such official address from the place so fixed; provided a person shall have the right to remove the address when altering or changing the structure and place the address temporarily at some other part of the structure where it will show conspicuously from the street or alleyway. Failure to display the official address on each and every structure in accordance with this subsection shall constitute a violation of this subsection.

(1995 Code of Ordinances, Chapter 3, Article 3.900, Section 3.906)

Sec. 3.907 Utility Connection When Code Violation Exists

It shall be unlawful for any person to install, connect or be instrumental in assisting in the installation of electrical service, gas service (whether natural or otherwise), water service, sewer service or telephone service to any house or premises within the city limits, where any building has been moved, erected, constructed, renovated, or added to in any way without a required permit or in violation of the building, electrical, plumbing or gas code, or the regulation of development of additions or subdivisions or the zoning ordinances of the city then in effect. (1995 Code of Ordinances, Chapter 3, Article 3.900, Section 3.907)

Sec. 3.908 Penalty

In addition to any remedial action or abatement procedure contained in the building regulations adopted in this code, any person violating any provision of this article shall be punished as provided for in this code. (1995 Code of Ordinances, Chapter 3, Article 3.900, Section 3.908)

ARTICLE 3.1000 SIGN REGULATIONS*

Sec. 3.1001 Short Title

This article shall hereafter be known and cited as the “sign regulations.” (Ordinance 1998-14 adopted 10/7/14)

Sec. 3.1002 Purpose

Signs use private land and the sight lines created by the public rights-of-way to inform and persuade the general public by publishing a message. This article provides standards for the erection and maintenance of private signs. All private signs not exempted as provided below shall be erected and maintained in accordance with these standards. The

* **State law reference**—Municipal regulation of signs, V.T.C.A, Section 216.001, et. seq.;
Cross reference—Chapter 14, Zoning.

Sec. 3.1003 Definitions

As used in this article, unless the context otherwise indicates:

Building Official shall mean the officer or other person within the City of DeSoto charged with the administration and enforcement of the sign regulations.

Erect shall mean to build, construct, attach, hang place, suspend, or affix, and shall also include the painting of signs on the exterior surface of a building or structure.

Facing or Surface shall mean the surface of the sign, upon, against, or through which the message is displayed or illustrated on the sign.

Gross Surface Area of Sign shall mean the entire area within a single continuous perimeter enclosing the extreme limits of each sign. In the event two (2) or more signs share a single structure, each sign or panel may be considered separately for square footage purposes, provided that each sign or panel has no relationship to the others, except that the combined footage of such signs cannot exceed the total square footage allowed for the sign.

Highway Control Zone shall mean all zoned and unzoned commercial and industrial areas within six hundred sixty feet (660') of the nearest edge of the right-of-way of all portions of the interstate or primary highway systems within the State of Texas as further defined in the Highway Beautification Act.

Illuminated Sign shall mean any sign which has characters, letters, figures, designs, or outline illuminated by electric lights, luminous tubes, or other means.

Incombustible Material shall mean any material which will not ignite at or below a temperature of 1200° Fahrenheit and will not continue to burn or glow at that temperature.

On-Site Directional Sign shall mean a sign designed to direct traffic on premises which does not contain advertising.

Permittee shall mean the person, persons, firm, corporation, or association filing an application for, paying fees, and receiving a sign erection permit.

Person shall mean and include any person, firm, corporation, partnership, association, company, or organization of any kind.

Political Sign shall mean a sign relating to the election of a person to public office, relating to a political party, or relating to a matter to be voted upon at an election called by a public body.

Business Districts:

P	Parking District
O	Office District
NS	Neighborhood Service District
GR	General Retail District
C	Commercial District
CC	Central Commercial District
I	Industrial District
IP	Industrial Park District
PD	Planned Development District
FP Prefix	Flood Plain Prefix

(1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1003)

Mixed Use Districts:

MU-1	Mixed Use-1 District
MU-2	Mixed Use-2 District
MU-R	Mixed Use-R District

Sec. 3.1004 Permit Required

It shall be unlawful for any person to erect, repair, alter, or relocate within the city any sign as defined in this article without first obtaining a sign permit from the building official and making payment of the fee required by Section 3.1008 hereof. All illuminated signs shall, in addition, be subject to the provisions of the electrical code, and the permit fees required hereunder. All signs located within the "Highway Control Zone" shall be subject to the provisions of the Texas Highway Beautification Act-Outdoor Advertising Signs and a Highway Department License shall be required.

Sec. 3.1005 Application for Permit

Application for permits shall be made upon sign permit applications provided by the building official, and shall contain or have attached thereto the following information:

(Ordinance 1874-10 adopted 12/7/10)

- (1) Name, address, and telephone number of the applicant.
- (2) Location of building, structure, or lot to which or upon which the sign or other advertising structure is to be attached or erected.
- (3) Two (2) sets of plans shall be submitted showing the sign location in relation to nearby buildings or structures, signs, property lines, driveways, public streets, fences, and sidewalks.

Sec. 3.1006 Illuminated Signs: Approval Required

(a) The application for a permit for erection of a sign in which electrical wiring and connections are to be used shall be submitted to the electrical inspector. The electrical inspector shall examine the plans and specifications respecting all wiring and connections to determine if the same complies with the electrical code of the City of DeSoto. In addition, all illuminated signs shall bear the Underwriters' Laboratory label or be built to comply with Underwriters' requirements. The electrical inspector shall approve said permit if the same plans and specifications comply with these requirements or disapprove the application if noncompliance is found. This said action of the electrical inspector shall be taken prior to submission of the application to the building official for final approval or disapproval of the erection permit.

(b) All electrical service to free standing signs shall be underground.

(1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1006)

Sec. 3.1007 Permit Issued if Application In Order

It shall be the duty of the building official, upon the filing of an application for an erection permit to examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign; and if it shall appear that the proposed structure is in compliance with all the requirements of this article, the building code, and all other laws and ordinances of the City of DeSoto, he shall then issue the erection permit. If the work authorized under an erection permit has not been completed within sixty (60) days after issuance, the said permit shall become null and void. (1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1007)

Sec. 3.1008 Permit Fees

Every applicant, before being granted a permit hereunder, shall pay to the City of DeSoto the appropriate permit fee as set forth in the fee schedule found in the appendix of this code. (1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1008)

Sec. 3.1009 Inspection

The building official shall be notified by the permittee when erection of the sign is complete, and he shall make an inspection to determine if the sign conforms to city ordinances and codes. The building official shall inspect annually, or at such other times as he deems necessary, each sign regulated by this article for the purpose of ascertaining whether the same is secure or insecure, whether it still serves a useful purpose and whether it is in need of removal or repair. (1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1009)

Sec. 3.1015 Removal of Certain Signs

Any sign now or hereafter existing which no longer advertises a bona fide business conducted, or a product sold, shall be removed by the owner, agent, or person having the beneficial use of the building or structure upon which such sign may be found within ten (10) days after written notification to the owner, agent, or person having the beneficial use of the land, building, or structure from the building official; and, upon failure to comply with such notice within the time specified in such order, the building official is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the land, building, or structure to which such sign is attached or upon which it is erected. Any sign located in public right-of-way may be immediately removed by the building inspector without notice to the owner. (1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1015)

Sec. 3.1016 Exemptions

The provisions and regulations of this article shall not apply to the following signs; provided, however, said signs shall not obstruct visibility as determined by the building official and shall be subject to the provisions of Section 3.1011, Unsafe and Unlawful Signs:

- (1) Signs not exceeding eight (8) square feet in area which advertise the sale, rental, or lease of the premises upon which said signs are located only, except in MU-1, MU-2 and MU-R districts.
- (2) Signs not exceeding thirty-two (32) square feet which advertise the sale of residential tracts larger than five (5) acres; or commercial tracts which advertise the sale, rental, or lease of the premises upon which said signs are located only, except in MU-1, MU-2 and MU-R districts.

(Ordinance 1874-10 adopted 12/7/10)

- (3) Name plates not exceeding one (1) square foot in area. (1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1016)
- (4) Bulletin boards not over twenty-five (25) square feet in area, for public, charitable, or religious institutions when the same are located on the premises of said institutions, except in MU-1, MU-2 and MU-R districts where such signs are prohibited. (Ordinance 1874-10 adopted 12/7/10)
- (5) One temporary construction sign denoting the architect, engineer, or contractor when placed upon work under construction, and not exceeding sixteen (16) square feet in area.

Sec. 3.1018 Obstructions to Doors, Windows or Fire Escapes

No sign shall be erected, relocated, or maintained so as to prevent free ingress to or egress from any door, window, or fire escape. No sign of any kind shall be attached to a stand pipe or fire escape. (1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1018)

Sec. 3.1019 Signs not to Constitute Traffic Hazard

In order to obtain and secure reasonable traffic safety, it shall be unlawful for any person to erect or maintain any fluttering, undulating, swinging, rotating, or otherwise moving sign, or any flashing sign. No sign shall be erected or maintained in such a manner as to obstruct free and clear vision; or at any location where by reason of position, shape, color, degree, manner, or intensity of illumination, it may interfere with vehicular or pedestrian traffic. Pursuant to the foregoing, no sign shall be erected or maintained in such manner as to be likely to interfere with, obstruct the view of or be confused with any authorized traffic sign, signal, or device. Accordingly, no sign shall make use of the words, "stop", "go", "look", "slow", "danger", or any other similar word, phrase, symbol, or character or employ any red, yellow, orange, green, or other colored lamp or light in such a manner as to interfere with, mislead, or confuse traffic. (1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1019)

Sec. 3.1020 Lighting

Goose neck reflectors and lights shall be permitted on ground signs and wall signs; provided, however, the reflectors shall be provided with proper shielding or lenses to concentrate the illumination upon the area of the sign so as to prevent glare upon the street or adjacent property. Any spotlight or other illumination of a sign shall be so directed or shielded that the light source is not directly visible from any street, sidewalk, or adjacent property. (1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1020)

Sec. 3.1021 Prohibited Signs

- (a) It shall be unlawful for any person to display upon any sign any obscene, indecent, or immoral matter. (Ordinance 1998-14 adopted 10/7/14)
- (b) No persons shall erect, maintain, or permit the erection of any balloon or other floating device anchored to the ground or to any structure.
- (c) No person shall attach any sign, paper, or other material or paint, stencil, or write any name, number (except house numbers) or otherwise mark on any sidewalk, curb, gutter, street, utility pole, public building, fence or structure unless authorized by this article or by the city council or its delegated representative.

(m) Any sign constructed of or containing material capable of reflecting light, images, or sound waves; producing glare or mirrored images, is strictly prohibited.

(n) No banners or flags shall be allowed except as permitted under Section 3.1022, Permitted Signs.

(1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1021)

(o) Billboard signs, portable signs, signs with exposed neon, border lighting, including neon and LED border tube and pole signs are prohibited within the MU-1, MU-2 and MU-R districts.

(p) Signs containing the use of fluorescent paint and fluorescent colors are prohibited within MU-1, MU-2 and MU-R districts.

(Ordinance 1874-10 adopted 12/7/10)

(q) Signs described in Section 3.1023, off-premises pole [detached] signs, are prohibited within MU-1, MU-2 and MU-R districts. (Ordinance 1998-14 adopted 10/7/14)

Sec. 3.1022 Permitted Signs

Signs advertising each legally zoned activity within any district shall be allowed subject to the following conditions and regulations:

- (1) Signs shall pertain only to the identification of a building, business, or products and services manufactured, sold, or offered on the premises where the sign is located, except as otherwise provided.

(1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1022)

- (2) Except as otherwise provided, all signs shall conform to the following requirements relative to type of sign allowed, maximum area, surfaces, heights, location, setback, and other provisions as set forth below by zoning district:

(A) Residential Districts (A, SF-E, SF-1, SF-2, SF-3, and 2F). No signs shall be permitted in residential districts except:

- (i) Those allowed under Section 3.1016, exemptions.
- (ii) Such temporary signs that may be allowed by Section 3.1024, temporary signs.

Minimum size shall be twenty-five square feet (25'). Maximum height shall be seven feet (7') in overall height from grade.

- (ee) Both sides of a two-sided monument sign shall be identical in design and content.
 - (ff) There shall be only one (1) monument sign per main entrance to the project.
 - (gg) Monument signs shall not exceed ten feet (10') in overall height from grade for a multi-tenant monument sign for larger properties at the main entrance.
 - (hh) No guys, braces, attachments, banners, flags, or similar devices shall be attached to any sign.
 - (ii) Electronic message centers shall be allowed in accordance with this article.
- (C) Multiple-Family Districts (SF-A, MF-1, MF-2, and MH). No signs shall be permitted in these areas except:

- (i) Those allowed under Section 3.1016, exemptions.

(Ordinance 1998-14 adopted 10/7/14)

- (ii) Such temporary signs that may be allowed by Section 3.1024, Temporary Signs.
- (iii) One sign per street front subject to the following instructions:
 - (aa) Sign may be attached to the building or set back one-half (1/2) the distance from the building line to the property line.
 - (bb) Sign shall not exceed forty (40) square feet.
 - (cc) Height shall not exceed twelve (12) feet.
 - (dd) Construction design and material shall match main building.
 - (ee) Entire sign must be located inside private property.
 - (ff) Such sign shall not constitute a visual hazard as determined by the building official.

- (hh) No guys, braces, attachments, banners, flags, or similar devices shall be attached to any sign.
 - (ii) Electronic message centers shall be allowed in accordance with this article.
- (D) Business Districts (P, O, NS, GR, C, CC, and IP). No signs shall be permitted in the business district except:
- (i) Those allowed under Section 3.1016, exemptions.

(Ordinance 1998-14 adopted 10/7/14)

- (ii) Such temporary signs that may be allowed by Section 3.1024, Temporary Signs.
 - (iii) Attached signs subject to the following restrictions:
 - (aa) Maximum size of sign shall be forty (40) square feet or the product of two (2) times the lineal footage of the building or store frontage for which such sign is intended, whichever is greater.
 - (bb) An attached sign located at a height of twenty-four (24) feet or less shall have a maximum vertical height of four (4) feet.
 - (cc) An attached sign located at a height above twenty-four (24) feet shall have a maximum vertical height of six (6) feet.
 - (dd) Sign(s) shall not exceed seventy-five (75) percent of the width of such building or store frontage.
 - (ee) Height shall not exceed the roof line or top of parapet wall and shall provided a minimum of ten (10) feet of vertical clearance from sidewalk or ground level.
- EXCEPTION: On all buildings constructed prior to the effective date of this article, which have no appropriate surfaces on which to erect a sign in conformance to this paragraph, signs may be allowed to project above the roof line to a maximum of four (4) feet.
- (ff) Such sign shall not project over eighteen (18) inches from face of building.

- (ff) Along major thoroughfares, minimum height of letters shall be six inches (6").
- (gg) Signs shall be constructed of materials that are noncombustible or slow burning.
- (hh) Sign supports in contact with the ground shall be pressure treated wood, protected steel or concrete.
- (ii) No advertising matter shall be displayed on or attached to any freestanding sign. No guys, braces, attachments, banners, flags, or similar devices shall be attached to any sign.
- (jj) Such signs shall be protected by wheel or bumper guards when required by the building official.

(1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1022)

- (vi) As a condition of release of a new certificate of occupancy, existing pole signs are required to be removed and replaced with freestanding monument signs; all new freestanding identification signage associated with a new certificate of occupancy shall be a freestanding monument sign. Freestanding monument signs shall be subject to the following restrictions:
 - (aa) A freestanding monument sign is a sign that is permanently attached to the ground and is the same width and solid from the ground up. Any pole(s) or supports shall be concealed. The monument base shall be made of stone, concrete, metal, or similar materials. The advertising section of the monument sign may be a metal sign cabinet with plastic faces, individual letters, cast stone, metal, composite panels or similar material. Fabric faces are prohibited.
 - (bb) Signs may be internally illuminated, halo lit, with reverse channel letter, down or uplighted.
 - (cc) One (1) sign per building site shall be allowed within the development, or one (1) sign per four hundred fifty (450) lineal feet along frontage along street, as long as it does not conflict with other provisions of this article. Where more than one (1) sign is allowed, there shall be a minimum of one hundred feet (100') between signs.

expiration of the permit. A business location shall be defined as a shopping center or collection of businesses located upon one site or one platted tract of property.

- (dd) Portable sign permits may be issued for a maximum of fifteen (15) days. Said portable sign shall be physically removed from the referenced location upon expiration of the permit.
- (ee) There shall be a minimum distance of two hundred (200) feet between portable signs; measured along the street right-of-way. Each side of the street shall be counted separately.
- (ff) Portable signs shall not exceed thirty-two (32) square feet in size.
- (gg) Portable signs shall be set back a minimum of fifteen (15) feet from the curb or edge of pavement completely out of the city right-of-way.
- (hh) Portable signs shall be set back a minimum of thirty (30) feet from side property lines. Further, said portable signs shall not be located within the intersection visibility triangle area and shall not obstruct visibility of motorists or pedestrians.
- (ii) The owner of such portable sign shall be responsible for obtaining a sign permit, as required herein, and shall be responsible for any violations of this subsection. Upon obtaining a sign permit, the owner of the sign shall sign a statement identifying and holding the city harmless of any damages which may result from the placement of said sign; and such statement shall further give the city the right to impound such sign should it be placed in violation of these sign regulations.
- (jj) Portable signs shall permanently display on the sign, in easily readable form, the name, address, city, zip code and telephone number of said sign.
- (kk) Portable signs may be internally or indirectly lighted; however, such light or lights shall not be a flashing intermittent, moving or similarly lighted type. Any sign constructed of or containing material capable of reflecting light, images or sound waves; producing glare or mirrored images shall not be permitted.

- (qq) If any sign remains unclaimed for a period of thirty (30) days after its removal, or if the removal and storage costs are not paid within such thirty (30) day period, the city may destroy, sell, or otherwise dispose of the sign.
- (rr) In calculating the length of the storage period and the storage fee, the first working day after the date of the impoundment shall be considered day number one; thereafter, all days including weekends and holidays shall be counted.
- (ss) The code enforcement department or any duly authorized agent may enter upon private property which is accessible to the public for the purposes specified in this subsection to examine signs or their location, obtain information as to the ownership of such signs and to remove or cause the removal of a sign declared to be a nuisance pursuant to this subsection
- (tt) If the city determines that the owner or occupant of the property upon which there is located a portable sign in violation of this subsection, or if the owner or lessee of the portable sign in violation of this subsection has had three (3) sign violations without reasonable cause, the city shall withhold issuing further sign permits to such property owner, lessee, sign owner or sign lessee.

(1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1022)

- (ix) Such signs that may be allowed by Section 3.1023, off-premises detached signs.
- (E) Commercial and Industrial Districts (I and C) Freeway Frontage. On-premises pole signs are allowed adjacent to the I-35E corridor, for a maximum distance of five hundred feet (500') west from the I-35E rights-of-way along Daniieldale Rd., Centre Park Blvd., Wintergreen Rd., Pleasant Run Rd., Belt Line Rd. and Parkerville Rd. and shall be subject to the regulations of the Texas Highway Beautification Act-Outdoor Advertising Signs and this code.
 - (i) On-premises pole signs shall be subject to the following restrictions:
 - (aa) One (1) sign per building site shall be allowed, or one (1) sign per four hundred fifty (450) lineal feet of frontage along freeway. No on-premises pole sign shall exceed three hundred square feet (300') in effective area, except where

- (F) Office and Planned Development Districts (O-1 and PD-125) Freeway Frontage. On-premises pole signs are allowed adjacent to the Hwy. 67 corridor, for a maximum distance of five hundred feet (500') east from the Hwy. 67 rights-of-way and shall be subject to the regulations of this code.
- (i) On-premises pole signs shall be subject to the following restrictions:
- (aa) One (1) sign per building site shall be allowed, or one (1) sign per four hundred fifty (450) lineal feet of frontage along freeway. No on-premises pole sign shall exceed three hundred square feet (300') in effective area, except where more than one (1) sign would be allowed, the signs may be consolidated into one (1) sign with an increased area up to a maximum of six hundred square (600') feet.
 - (bb) Size regulations shall be: one (1) square foot per one and one-half (1/2) lineal foot of frontage.
 - (cc) An on-premises pole sign shall not exceed forty feet (40') in height, or to a point thirty feet (30') above the travel surface of the adjacent freeway and frontage road, whichever is higher, provided that the total height of sign does not exceed fifty feet (50').
 - (dd) An on-premises pole sign with an effective area of fifty square feet (50') or less may be located as near as five feet (5') to the public right-of-way or at the building line if this requires a lesser setback, provided that said sign is a premises or directional sign, does not exceed twenty feet (20') in height, and does not occupy the space between two feet (2') and ten feet (10') above grade within fifteen feet (15') of the public right-of-way except for supports, which may not exceed a total cross-sectional area of two square feet (2').
 - (ee) An on-premises pole sign with an effective area of one hundred fifty square feet (150') or less may be located as near as fifteen feet (15') to the right-of-way, provided that said sign is a premises or directional sign, and does not exceed thirty feet (30') in height.

(vii) Attached wall signs shall be subject to the following restrictions:

- (aa) For nonresidential uses - a total of one hundred (100) square feet of signage per facade per business or two square feet of wall sign for every linear foot of architectural elevation width of building front, per business, whichever is less. Only one wall sign is permitted per business, except for a business at a corner, which is allowed to have one sign on the front elevation and one on the exterior side elevation.
- (bb) An attached sign located at a height of twenty-four (24) feet or less shall have a maximum vertical height of four (4) feet.
- (cc) An attached sign located at a height above twenty-four (24) feet shall have a maximum vertical height of six (6) feet.
- (dd) Sign(s) shall not exceed seventy-five (75) percent of the width of such building or store frontage.
- (ee) Height shall not exceed the roofline or top of parapet wall and shall provide a minimum of ten (10) feet of vertical clearance from sidewalk or ground level.
- (ff) For residential uses, attached or wall signs are limited to promoting the name of the complex and shall not exceed a total of 100 square feet per facade.
- (gg) Shall not extend from the building surface more than twelve (12) inches.
- (hh) Individual letters may make up the sign.

(viii) Projection signs shall be subject to the following restrictions:

- (aa) Projection signs shall be located on the first story of the building.
- (bb) They shall not extend more than 4 feet from the building facade.
- (cc) All projecting signs shall be mounted and hung at a 90-degree angle from the building facade.

The monument base shall be made of stone, concrete, metal, or similar materials. The advertising section of the monument sign may be a metal sign cabinet with plastic faces, individual letters, cast stone, metal, composite panels or similar material. Fabric faces are prohibited.

(Ordinance 1998-14 adopted 10/7/14)

- (bb) Signs may be internally illuminated, halo lit, with reverse channel letter, down or uplighted.
- (cc) One (1) sign per building site shall be allowed within the development, or one (1) sign per four hundred fifty (450) lineal feet along frontage along street, as long as it does not conflict with other provisions of this article. Where more than one (1) sign is allowed, there shall be a minimum of one hundred (100) feet between signs.

(Ordinance 1874-10 adopted 12/7/10)

- (dd) For Mixed Use Districts MU-1 and MU-2. Size regulations shall be: one square foot (1') per one and one-half (1-1/2) lineal feet of property frontage (for signs along street) or building frontage (for signs within the development) up to a maximum of fifty square feet (50'), located five feet (5') from the property line; and up to a maximum of seventy square feet (70'), located fifteen feet (15') from the property line. Minimum size shall be twenty-five square feet (25').
- (ee) Mixed Use District MU-R. Size regulations shall be: one square foot (1') per one and one-half (1-1/2) lineal feet of property frontage up to a maximum of fifty square feet (50'), located a minimum five feet (5') from the property line. Minimum size shall be twenty-five square feet (25'), located a minimum of five feet (5') from the property line.
- (ff) Both sides of a two-sided monument sign shall be identical in design and content.
- (gg) There shall be only one monument sign per main entrance to the project.

- (2) All off-premises signs shall be subject to the following stipulations:
- (A) Class 1 signs shall have a minimum front setback of twenty-five (25) feet from the right-of-way, or at the building setback line specified by the comprehensive zoning ordinance, whichever is further.
 - (B) Class 2 signs shall have a minimum front setback of fifteen feet (15') from all street right-of-way.
 - (C) All off-premises pole signs shall be located a minimum of thirty feet (30') from a side or rear property line.
 - (D) All off-premises pole signs shall provide a minimum distance of one thousand feet (1,000') between all detached advertising signs measured along the street right-of-way.

(Ordinance 1998-14 adopted 10/7/14)

- (E) Class 1 Signs shall be located a minimum of five hundred (500) feet from major intersections, and two hundred fifty (250) feet from any other intersection.
- (F) Class 2 Signs shall be located a minimum of two hundred fifty (250) feet from major intersections and one hundred (100) feet from any other intersection.
- (G) Class 1 Signs shall not exceed forty (40) feet in height.
- (H) Class 2 Signs shall not exceed fifteen (15) feet in height.
- (I) Class 1 Signs shall have a minimum character height of eighteen (18) inches.
- (J) Signs shall be limited to advertising only specific businesses and business locations and shall not be utilized for product or brand advertising not associated with such business or business location.

(1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1023)

- (K) All off-premises pole signs shall be located only on those streets designated as major thoroughfares in the city's major thoroughfare plan and along Freeway Frontage. (Ordinance 1998-14 adopted 10/7/14)
- (L) Spacing and location restrictions shall be maintained. Each side of the street shall be counted separately. Existing non-conforming signs shall be counted, as well as new signs.

- (5) Such temporary signs shall be removed when ninety-five (95) percent of the available lots have been sold to owner/occupants.

(b) Temporary signs advertising occasional sales (including garage sales, patio and porch sales) shall be limited to one (1) sign not to exceed two (2) square feet placed upon the property where the sale is conducted. Any other signs at any location remote from the sale property are illegal. Permit for such sign shall not be required when an occasional sale permit has been secured.

(c) Temporary signs for the purpose of advertising civic, nonprofit, or philanthropic organization activities may be erected within the City of DeSoto within the following guidelines:

- (1) Each organization shall register with building inspection department prior to the erection of any such sign.
- (2) The maximum size sign shall be six (6) square feet.
- (3) Each sign shall be located on private property.

- (4) Such signs shall be erected for a maximum of seven (7) days.
 - (5) A maximum of six (6) signs may be permitted during each seven-day period.
 - (6) Each sign shall be self-supporting and shall not be attached to fences, posts, utilities, trees, etc.
 - (7) No sign shall be erected or maintained in such a manner as to obstruct free and clear vision.
 - (8) It shall be the responsibility of the organization who registers the signs to remove them promptly at the end of the seven-day period.
- (d) Temporary portable signs for public, religious, school or charitable institutions may be permitted when such sign is located on the premises of said institution and subject to the following restrictions:
- (1) No such sign shall be erected unless a permit therefore is first procured from the city manager or his designee.
 - (2) No permit fee is required for temporary signs under this section for public, religious, school or charitable institutions.
 - (3) Sign shall not exceed thirty-two (32) square feet in size.
 - (4) Sign permit may be issued for a maximum of fifteen (15) days. No permit for the same locations shall be issued until a minimum of fifteen (15) days has elapsed since the previous permit expired. Said portable sign shall be physically removed from the referenced location upon expiration of the permit.
 - (5) Such signs shall be set back a minimum of fifteen (15) feet from the curb or edge of pavement, completely out of city right-of-way. Further, said sign shall not be located within the intersection visibility triangle area and shall not obstruct visibility of motorists or pedestrians.
 - (6) Such signs may be internally or indirectly lighted; however, such light or lights shall not be of a flashing, intermittent moving or similarly lighted type. Any such sign located within a residentially zones district shall not be lighted.
- (e) Temporary home builder directional signs, for the purpose of providing traffic directions to new residential development in DeSoto only, located off the premises being advertised is allowed subject to the following restrictions:
- (1) No such signs shall exceed six (6') square feet in area and thirty-six (36") inches in height.

permit for any such sign for three (3) or more violations of this section during any forty-five (45) consecutive day period.

(1995 Code of Ordinances, Chapter 3, Article 3.1000, Section 3.1024)

(f) Sidewalk signs for the purpose of advertising or notifying an event may be erected within the MU-1, MU-2 and MU-R districts, subject to the following guidelines:

- (1) Sidewalk signs may only be displayed during business hours.
- (2) They must relate to the business on site.
- (3) They must maintain an unencumbered walkway for pedestrians.
- (4) May not be permitted structures.
- (5) May not be electrified.
- (6) Maximum nine (9) square feet per side.
- (7) Only one sidewalk sign is permitted per business.

(Ordinance 1874-10 adopted 12/7/10)

Sec. 3.1025 Nonconformance

(a) It is the declared purpose of this article that, in time, all privately owned signs shall either conform to the provisions of this article or be removed. By the passage of this article and its amendments, no presently illegal sign shall be deemed to have been legalized unless such sign complies with all current standards under the terms of this article and all other ordinances of the City of DeSoto. Any sign which does not conform to all provisions of this article shall be a nonconforming sign if it legally existed as a conforming or nonconforming sign under prior ordinances; or an illegal sign if it did not exist as conforming or nonconforming sign, as the case may be. Temporary permits previously granted shall not be renewed unless the sign is made to conform. It is further the intent and declared purpose of this article that no offense committed, and no liability, penalty or forfeiture, either civil or criminal, incurred prior to the time this article was adopted shall be discharged or affected by such passage, but prosecutions and suits for such offenses, liabilities, penalties, or forfeitures may be instituted and causes presently pending may proceed.

(b) Removal of Certain Nonconforming Signs:

- (1) Signs erected without a permit, either prior to or after the adoption of this article on November 6, 1979, are illegal signs under this and prior sign control ordinances if a permit was required for its erection.

(c) Where a sign in a former "Zoning District" has been made nonconforming because of the change of that zone to a non-business category, then that sign must be removed, or brought into conformity immediately.

(d) No nonconforming sign shall be repaired or renovated at a cost in excess of thirty-five (35) percent of the replacement cost of the total sign structure, unless said sign is brought into conformity with this article. No nonconforming sign shall be repaired or renovated where the effect of such repair or renovation shall be to enlarge or increase the structure of the nonconforming sign. For the purposes of this subsection, normal maintenance shall not be considered to be repair or renovation.

(e) Where any legally erected sign is made nonconforming as a result of:

- (1) the adoption of any amendment to this article; or
- (2) any amendment to the Comprehensive Zoning Ordinance; or
- (3) the acquisition of public right-of-way; or