

**ORDINANCE NUMBER 947**

**AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 99: CONSTRUCTION AND IMPROVEMENTS; REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING AN OPEN MEETINGS CLAUSE; AND PROVIDING FOR RELATED MATTERS.**

**WHEREAS**, the Board of Commissioners finds that it is in the best interest of the City to clarify the portion of the Code of Ordinances regarding the placement of signs; **NOW THEREFORE**,

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF BURKBURNETT, TEXAS, THAT:**

**Part I: Enacted**

THAT the Code of Ordinances for the City of Burkburnett is hereby amended by amending Chapter 99: Construction and Improvements by amending § 99.15 POSTING OF SIGNS AND THE LIKE ON PUBLIC WAYS AND PLACES which shall read as follows:

**§ 99.15 POSTING OF SIGNS AND THE LIKE ON PUBLIC WAYS AND PLACES.**

A.) No person shall paint, mark, or write on, or post or otherwise affix, any sign, handbill, poster, or advertisement of any nature to or upon any sidewalk, crosswalk, curb, curb stone, street lamp post, hydrant, tree, shrub, tree stalk or guide, railroad trestle, electric light or power or telephone pole, public bridge, drinking fountain, or any facility maintained by the City or in public right-of-way maintained by the City.

B.) No off-premise sign shall be permitted in any SF-15, SF-10, SF-6, R-1 and R-2 District identified in Ord. 589, passed 4-17-00, and more commonly referred to as the Zoning Ordinance, as amended. (Ord. 390, passed 7-16-84; Am. Ord. 685, passed 11-15-04). Off-premise sign shall mean any permanent sign, commonly known as a billboard, that advertises a business, person, activity, goods, products or services not located on the premises where the sign is installed and maintained, or that directs persons to a location other than the premises where the sign is installed and maintained. Penalty, see § 99.99.

**Part II: Repealer**

All ordinances or parts of ordinances in force when the provisions of this Ordinance become effective which are inconsistent or are in conflict with the terms and provisions contained in this Ordinance are hereby repealed only to the extent of any such conflict.

**Part III: Severability**

It is hereby declared to be the intention of the Board of Commissioners that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

**Part IV: Compliance with Texas Open Meetings Act**

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**Part V: Effective Date**

This Ordinance shall be in force and effect from and after its publication as required by law.

**PASSED AND APPROVED THIS 15<sup>th</sup> DAY OF APRIL 2019.**

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**Carl Law, Mayor  
City of Burkburnett, Texas**

**ATTEST:**

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**Trish Holley  
Director of Administration**