

***CITY OF SAN ANTONIO
CITY ATTORNEY'S OFFICE
INTERDEPARTMENTAL CORRESPONDENCE***

TO: Mayor and City Council

THROUGH: Terry M. Brechtel, City Manager

FROM: Andrew Martin, City Attorney, City Attorney's Office

COPIES: File

DATE: March 6, 2003

SUMMARY AND RECOMMENDATIONS:

This Ordinance amends Chapter 28 of the City of San Antonio City Code, entitled "Signs and Billboards" by revising and adding definitions to clarify the sign regulations established by that chapter.

Staff recommends approval of this Ordinance.

BACKGROUND:

This amendment will bring the City's on-premise sign regulations closer to conformity with state regulations concerning on-premise signs. San Antonio's regulations were enacted in the mid 1980's and were designed to protect the health, safety, and welfare of its citizens and protect the enjoyment and attractiveness of San Antonio's unique and valuable visual environment. Recent disputes over the construction and application of San Antonio's sign regulations suggest that further clarification of the original intent of regulations concerning on-premise signs would be helpful.

The state has overlapping jurisdiction with the city to regulate signs along some highways running through the city. Definitions and requirements concerning on-premise signs established by state law differ from those of the City's in some respects. Those differences may have led to confusion by property owners and advertisers.

Although several definitions will be altered by this ordinance, the significant changes address on-premise signs. The definition of an "on-premise sign" will be clarified to explicitly require the business or activity being advertised by the on-premise sign must be conducted by one or more employees who are at that location for at least thirty hours a week. The definition will exclude a business no longer operated at the premises—

City Council
March 6, 2003

closed—after a defined period of time. A definition of “premise” will be added to provide that all lots or parcels collectively used for the business will be considered a single location. In most cases, the City's definitions, although combined with those of the state, are intended to be more stringent than the state regulations alone.

FINANCIAL IMPACT:

This ordinance requires no immediate allocation of funds.

SUPPLEMENTAL COMMENTS:

No Ethics disclosure form is necessary for this ordinance.

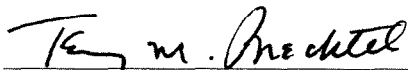
COORDINATION:

The City Attorney's office has coordinated this item with the Department of Development Services.



ANDREW MARTIN
City Attorney

APPROVED:



TERRY M. BRECHTEL
City Manager