

CHAPTER 30 - SIGN BOARD

30.1 PURPOSE.

The purpose of the Town Sign Board is to provide a method and procedures for compensating the owner of a sign that the Town requires to be relocated, removed or reconstructed, consistent with standards set forth in ch. 216 of the Tex. Loc. Gov't Code.

30.2 JURISDICTION.

- A. The Sign Board shall have authority to determine the amount of compensation to which the owner of a sign that is required to be relocated, reconstructed or removed is entitled, except as provided in subsection B.
- B. The Sign Board shall have no authority to consider the request of the owner of a sign for compensation for the relocation, reconstruction or removal of any of the following types of signs:
 - 1. An on-premise sign attached to a structure;
 - 2. A sign that was erected in violation of the Town's ordinances applicable at the time of its erection;
 - 3. A non-conforming sign that is required to be removed by the Town because the sign, or a substantial part of it, was destroyed to an extent that the cost of repairing the sign is more than 60% of the cost of erecting a new sign of the same type at the same location, or the sign is dismantled for any purpose other than maintenance operations or for changing the letters, symbols or other matter on the sign.
 - 4. A sign constituting a nuisance.

30.3 POWERS.

The Town Sign Board shall have the following powers:

- A. To determine the amount of compensation for relocation of a sign;
- B. To determine the amount of compensation for reconstruction of a sign;
- C. To determine the amount of compensation for removal of an off-premise sign;
- D. To determine the amount of compensation for removal of an on-premise sign;
- E. To determine the amount of compensation for decrease in the value of the real property due to removal of an off-premise sign; and
- F. To prepare a tax appraisal for a nonconforming sign.

30.4 PROCEDURES

- A. Within thirty (30) days of receipt of a notice from the Town Administrator that a sign subject to this chapter must be relocated, reconstructed or removed, the owner of the sign may request in writing a public hearing to determine compensation for such action. If the notice requires relocation of a sign, the owner in his request shall designate an alternative site where the erection of a sign of the same type would be in compliance with the sign ordinance. The owner of the sign shall provide information in his request concerning the cost of the sign, the amount of time the sign has been in place and such other relevant information as the Town may require.
- B. Upon receipt of a request for a public hearing to determine compensation for relocation, reconstruction or removal of a sign subject to this chapter, the Sign Board shall schedule a public hearing within forty-five (45) days and shall provide notice in the manner set forth in section 21.5 of these zoning regulations. The Board shall conduct the hearing in accordance with section 21.6.
- C. Upon consideration of the evidence presented by the sign owner and the Town, the Board shall render its decision concerning compensation in accordance with the criteria in section 30.5. Compensable costs shall be determined in accordance with the Tex. Property Code, ch. 21. The Board's decision may specify the manner and the time for compensation.
- D. If the Town Administrator has required the relocation of a sign, the Board shall determine an appropriate alternative site of substantially equivalent value for operation of a substitute sign of the same type in accordance with the criteria in section 30.5.A.
- E. Payment of compensation shall be conditioned upon relocation, reconstruction or removal of the sign.

30.5 CRITERIA FOR COMPENSATION

- A. Compensation for Relocated Sign
 - 1. The compensable costs for a sign that is required to be relocated include the expenses of dismantling the sign, transporting it to another site, re-erecting it, and expenses for increased operating costs, including increased rent, at a new location.
 - 2. In determining whether an alternative site is of substantially equivalent value, the Board shall apply standards generally accepted in the outdoor advertising industry, including visibility, traffic count, and demographic factors.

B. Compensation for Reconstructed Sign

The compensable costs for a sign that is required to be reconstructed shall include expenses of labor and materials and any loss in the value of the sign due to the reconstruction in excess of 15 percent of that value.

C. Compensation for Removal of On-Premise Sign

For an on-premise sign subject to this chapter that is required to be removed, the compensable cost shall be an amount computed by determining a reasonable balance between the original cost of the sign, less depreciation, and the current replacement cost of the sign, less an adjustment for the present age and condition of the sign.

D. Compensation for Removal of Off-Premise Sign

1. For an off-premise sign that is required to be removed, the compensable cost shall be calculated in the following manner:

- a. The Board shall determine the average annual gross revenue received by the owner from the sign during the two years preceding September 1, 1985, or the two years preceding the month in which the removal date of the sign occurs, whichever is less, and multiply that amount by three. If the sign has not been in existence for all of either two-year period, the average annual gross revenue for that period shall be determined by dividing 12 by the number of months that the sign has been in existence, and multiplying that result by the total amount of the gross revenue received for the period that the sign has been in existence.
- b. If the sign did not generate revenue for at least one month preceding September 1, 1985, the Board shall use only the average annual gross revenue received during the two years preceding the month in which the removal date of the sign occurs in determining compensable costs, and multiply that amount by three.
- c. In determining the amounts under this subsection, a sign shall be treated as if it were in existence for the entire month if it was in existence for more than 15 days of the month and is treated as if it were not in existence for any part of the month if it was in existence for 15 or fewer days of the month.
- d. The owner of the real property on which the sign was located shall be compensated for any decrease in the value of the real property, in accordance with standards applicable in a proceeding under Tex. Property Code, ch. 21.

30.6 TAX APPRAISAL OF NON-CONFORMING SIGN

For each non-conforming sign, the Board shall file with the Dallas County appraisal office the Board's compensable costs value appraisal of the sign.

30.7 JUDICIAL RELIEF

Any person aggrieved by a decision of the board may file a verified petition in district court setting forth the grounds why the decision is illegal in whole or in part within twenty (20) days after the date the decision is rendered by the Board.