

**ORDINANCE NO.01-2024-07**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GODLEY, TEXAS, AMENDING SECTION 155.08 "PROHIBITED SIGNS" OF CHAPTER 155 "SIGNS" OF TITLE XV, "LAND USAGE" OF THE GODLEY MUNICIPAL CODE, BY PROHIBITING SIGNS ON PUBLIC PROPERTY AND WITHIN CITY RIGHTS-OF-WAY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Godley (the "City") is a Type A general-law municipality located in Johnson county, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, Section 393.0025 of the Texas Transportation Code allows municipalities to regulate sign placement on the right-of-way of a road or highway maintained by a municipality; and

**WHEREAS**, the City Council desires to amend the chapter governing signs to prohibit the use of all signs on public property or within the City's right-of-way; and

**WHEREAS**, in the interest of the public health, safety, and welfare, the City Council desires to amend Godley Municipal Code Section 155.08 to prohibit all signs from being placed in these locations.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GODLEY, TEXAS, THAT:**

**SECTION 1.**

Subsections (A) and (B) of Section 155.08 "Prohibited Signs" of Chapter 155 "Signs" of the Godley Municipal Code are hereby amended to read as follows:

**"§155.08 PROHIBITED SIGNS.**

The following devices and locations are specifically prohibited:

(A) Any advertising sign, poster, political advertisement, gummed label, bumper sticker, or any other advertising matter whatsoever on any utility pole, tree, fence, fire hydrant, street light standard, traffic light standard, stop sign or other traffic directional sign standard, or any other structure of any kind whatsoever located in the public streets, sidewalks, alleyways, easements, public property or facility, or any other public place in

this city;

(B) Except as provided for elsewhere in this code, signs encroaching upon, overhanging, or located within the public right-of-way....”

**SECTION 2.**

This Ordinance shall be cumulative of all provisions of ordinances and of the Godley Municipal Code, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

**SECTION 3.**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are 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 and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

**SECTION 4.**

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined in accordance with Section 10.99 of the Godley Municipal Code. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 5.**

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of the sign ordinance, as amended, or any other ordinances affecting signs which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.**

The City Secretary, or authorized designee, is hereby directed to publish the caption and penalty clause in the official City newspaper as authorized by Section 52.011 of the Texas Local Government Code.

**SECTION 7.**

This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

**PASSED AND APPROVED ON THIS 16<sup>TH</sup> DAY OF JANUARY, 2024.**

  
\_\_\_\_\_  
Christopher Lenker, Mayor

ATTEST:

  
\_\_\_\_\_  
City Secretary, or authorized designee

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Dean Roggia, City Attorney