



Wylie City Council

AGENDA REPORT

Department: Planning
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Account Code: _____

Subject

Discuss potential amendments to Chapter 22, Article XX (Sign Regulations) of the Code of Ordinances.

Recommendation

Discussion.

Discussion

Staff is recommending amendments to Article XX of Chapter 22 of the City Code of Ordinances. First, the sign ordinance amendments would bring the Code more into alignment with case law regarding first amendment free speech. Secondly, the proposed amendments update other areas of the Code.

That case law (Reed vs. Town of Gilbert), in its most basic reading, states that cities cannot regulate signs based on the content of the message. That is, if the sign must be read to determine what kind of sign it is, the regulation is likely unenforceable. The Code has been amended to remove content as a factor for consideration. For example, the current Code regulates “garage sale signs” which can only be determined by reading the sign. The proposed Code changes this to “temporary nuisance sign” (if placed on public property) or “accessory residential sign” (if on private property). The former is not allowed, the latter is.

Staff is also recommending amendments such as:

- Reorganization of regulations for readability
- Updated sign definitions
- Allowing staff to approve temporary exemptions in times of emergency
- Allowing for the immediate removal and disposal of illegal temporary signs
- Added to prohibited signs such as revolving signs, sloping roof signs, searchlights, and light strips.

The City Attorney is currently reviewing these amendments and assuming Council approval, a final ordinance will be presented for adoption at a future meeting.