

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF UNIVERSITY PARK, TEXAS, AMENDING CHAPTER 3, BUILDING REGULATIONS, ARTICLE 3.09 "SIGNS", OF THE CODE OF ORDINANCES TO PERMIT DISPLAY OF AMERICAN FLAGS ON PARKWAYS IN RESIDENTIAL DISTRICTS ON DESIGNATED HOLIDAYS; PROVIDING EXCEPTIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS:**

**SECTION 1.** The Code of Ordinances, City of University Park, Texas, is hereby amended by amending Chapter 3 "Building Regulations", Article 3.09 "Signs", Section 3.09.009 (a) in part as follows:

**"ARTICLE 3.09 SIGNS**

...

**Sec. 3.09.009 Unlawful signs; flags; temporary signs for special events**

(a) Posting on public places.

- (1) It shall be unlawful...*[balance of subsection unchanged]* This subsection is not applicable to public convenience, safety and regulatory signs erected by the City.
- (2) Provided however, as part of a program of a non-profit organization, approved by the City Council to preserve the public safety and welfare, American flags may be temporarily displayed in a residential district in the part of the street right-of-way known as the "parkway" only with the permission, and at the request, of the abutting residential property owner, from 12:00 noon the day before to 12:00 noon the day after the following national holidays: Memorial Day (last Monday of May), Flag Day (June 14), Independence Day (July 4), Labor Day (first Monday in September), and Veterans' Day (November 11). Such flags shall not exceed 3' by 5' in area, shall be mounted on 10' poles inserted into metal or plastic sleeves placed in the parkway, and shall be uniformly flown on the residential parkways. Flags may be displayed in City parks only with permission of, and for the time and at the locations specified by, the Director of Parks or his designee."

**SECTION 2.** All ordinances of the City of University Park in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3.** Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not

affect the validity of this ordinance or the Code of Ordinances as a whole, or any part or provision thereof, other than the part so decided to be invalid, illegal or unconstitutional.

**SECTION 4.** Any person violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction in the municipal court of the City of University Park, Texas, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.

**SECTION 5.** This ordinance shall take effect immediately from and after its passage, as the law and Charter in such cases provide.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF UNIVERSITY PARK, TEXAS, ON THE 17TH DAY OF JUNE 2014.**

**APPROVED:**

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**OLIN B. LANE, MAYOR**

**ATTEST:**

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**CHRISTINE GREEN, CITY SECRETARY**

**APPROVED AS TO FORM:**

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**City Attorney  
(rld, 6/04/14, 66492)**

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**OLIN B. LANE, MAYOR**

**ATTEST:**

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**CHRISTINE GREEN, CITY SECRETARY**