

AN ORDINANCE

AMENDING CHAPTER 28 OF THE CITY CODE OF SAN ANTONIO, TEXAS, BY ALTERING THE DEFINITION OF "REFACE"; PROVIDING FOR REFACING NONCONFORMING REGISTERED "TRADEMARK SIGNS" IN ORDER TO PREVENT MISIDENTIFICATION WITH THE REGISTERED TRADEMARK, AND PROVIDING FOR PUBLICATION.

* * * * *

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Chapter 28 of the City Code of San Antonio, Texas, is hereby amended by adding the language that is underlined (added), and deleting the language that is stricken through (~~deleted~~).

SECTION 2. Chapter 28, Article I, Section 28-6, entitled "Definitions" of the City Code of San Antonio, Texas, is hereby amended as follows:

Sec. 28-6. Definitions.

When used in this chapter, the following terms shall have the following meanings:

* * * * *

Reface as it pertains to on-premises signs shall be defined as replacing, restoring, repainting or repairing the existing advertising sign face area ~~that which~~ is attached, annexed, or supported from the sign cabinet and/or main structure. The term specifically includes altering the shape of a registered "trademark sign" to prevent misidentification with the registered trademark. It shall not include any other rebuilding, reconstructing or reconfiguration of the existing sign cabinet and/or existing supporting structure.

* * * * *

SECTION 3. Chapter 28, Article IX, Section 28-245, entitled "Nonconforming sign abatement" of the City Code of San Antonio, Texas, is hereby amended as follows:

Sec. 28-245. Nonconforming sign abatement.

* * * * *

(b) Registered Trademarks. Notwithstanding any other provision of this chapter, a non-conforming registered "trademark sign" may be refaced to prevent misidentification with the registered trademark. The original height or width of the "trademark sign" shall not be increased when the sign is refaced.

* * * * *

SECTION 4. Should any Article, Section, Part, Paragraph, Sentence, Phrase, Clause, or Word of this Ordinance, or any appendix thereof, for any reason, be held illegal, inoperative, or invalid or if any exception to or limitation upon any general provision herein contained be held to be unconstitutional or invalid or ineffective, the remainder shall, nevertheless, stand effective and valid as if it had been enacted and ordained without the portion held to be unconstitutional or invalid or ineffective.

SECTION 5. All other provisions of Chapter 28, City Code of San Antonio, Texas, remain in full force and effect except as expressly amended and adopted by this Ordinance.

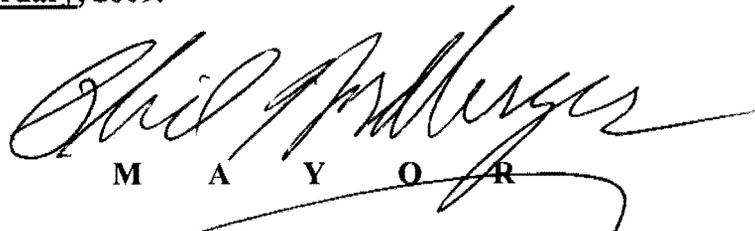
SECTION 6. The publishers of the City Code of San Antonio, Texas, are authorized to amend said Code to reflect the changes adopted herein, to correct typographical errors and to index, format and number paragraphs to conform to the existing code.

SECTION 7. There is no financial impact as a result of the passage of this Ordinance.

SECTION 8. The City Clerk for the City of San Antonio is hereby directed to publish notice of this Ordinance in a newspaper published in the City of San Antonio, Texas, as required by the Charter of the City of San Antonio.

SECTION 9. This Ordinance shall become effective on the 1st day of March, 2009.

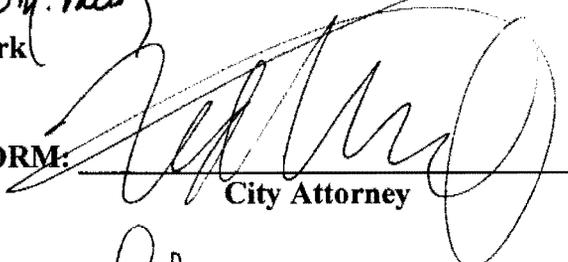
PASSED AND APPROVED this 19th day of February, 2009.


M A Y O R

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney

