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Article 6 Supplemental Use Regulations

24.6.1 Generally

(a) **Generally.** Uses subject to this Article are subject to the regulations of this Article in addition to all required zoning district regulations, or any applicable regulations in Articles 3 and 4.

(b) **Separation Measurement**. This subsection applies to any required separation between a use ("regulated use") and a zoning district ("protected district") or another use ("protected use").

(1) If the separation is from a protected use, measurement is made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure housing the regulated use to the nearest property line of the protected use, unless otherwise stated.

(2) If the separation is from a zoning district, the measurement is made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure housing the regulated use to the closest boundary line of the protected zoning district, unless otherwise stated.

(c) **Location**. The following uses require additional distancing from certain zones.

Table 6.1-1 Distancing Requirements

Use	Districts	Distance
Animal Services	B-1, B-3	50 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Automobile or Vehicle Sales or Truck Stops	B-4	Abutting freeway and State Aid Primary Roads only. Storage of equipment and vehicles adjoining any Residential or B-4 district shall be screened from view along the adjacent property line.
Bars	CBD, B-4	300 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Entertainment Facility	CBD, C	75 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Funeral & Interment Services	B-1, B-3	100 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district and within three hundred (300) feet of a principal arterial street. In addition, screening from adjacent less intensive uses is required.
Halfway Houses (Criminal)	B-4	500 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Heavy Manufacturing	B-4	200 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district

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Use	Districts	Distance
Indoor Amusement	CBD, AE	75 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Indoor Amusement	CBD, AE	300 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Recycling Plants	B-1, B-3	100 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district
Special Events (Temporary)	B-4	300 feet from an R-S,R-1, R-1A, RSM, R-2, R-3 and R-1B district

(d) Performance Standards. Uses shall not create noise, fumes, smoke, odor, vibration or involve welding or the use of heavy equipment outdoors in the B-1, B-4 and CBD, AE districts.

24.6.2 Accessory Structures & Uses

(a) **Generally**. An accessory structure or use must be conducted on the same lot as the principal use to which it is related, and is not permitted on an undeveloped lot.

(b) **Agricultural Uses**. Uses accessory to agricultural uses include those normally associated with agricultural pursuits, such as including barns, corrals, silos, stables, personal workshop spaces, green houses and equipment storage sheds.

(c) **Residential Uses**. Uses accessory to residential uses include:

(1) In any district, swimming pools, tennis courts, cabanas, pool houses, palapas, garden and tool storage sheds, garages, porte-cocheres, carport, barbecue pits or accessory dwelling units separated from the principal structure.

(2) In an R-S, R-1, R-1A or R-1B district, construction yards and model homes shall:

a. Serve new construction in the subdivision where it is located; and

b. Are allowed only on a temporary basis. Construction yards shall be converted to residential lots or common open space and model homes shall be converted to dwelling units, no later than the issuance of a certificate of occupancy for all uses on all lots in the subdivision.

(d) **Storage**. Storage may occur in the same building with the principal use.

(e) **Dumpsters and Refuse Collection.** Dumpsters, trash bins and similar refuse collection facilities (referred to collectively as "refuse collection facilities") shall comply with the following:

(1) Refuse collection facilities and large items for solid waste pick-up shall be confined in an enclosed area that is screened on all sides.

(2) Access to the enclosure shall be from the interior of the site..

(f) **Central Business District (CBD)**. Within the CBD district:

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(1) Filling station pumps, pump islands, and accessory buildings are permitted within a required yard if they are at least fifteen (15) feet from any street right-of-way line.

(2) Filling station pumps and pump islands shall not be closer than one hundred (100) feet from any residential district.

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24.6.3 Accessory Dwelling Units

An accessory dwelling unit is permitted if that all the following conditions are met:

(a) Plans for the accessory dwelling unit demonstrate sufficient capacity for all utilities and drainage.

(b) The lot area is at least 3,000 sf per dwelling unit.

(c) At least two paved off-street parking spaces per dwelling unit are provided on the lot, with paved access to the street.

(d) Only one manufactured home is allowed per lot, which requires a permanent foundation.

24.6.4 Adaptive Reuse

Purpose: *This section provides flexibility in adapting existing structures to new uses over time, in recognition that neighborhoods and land uses do not remain static. This section encourages the repurposing of existing buildings to provide a more efficient use of infrastructure, minimize excessive development costs, and to encourage mixed use development in locations with existing infrastructure.*

(a) Applicability.

(1) This section applies to the use of an existing building in any zoning district, if the building lawfully existed before the effective date of this Chapter, and**:**

a. Has been vacant for at least 2 years;

b. Is located in a local or nationally designated historic structure or historic district;

c. Was constructed at least 50 years before the effective date of this chapter;

d. Is vacant, uninhabitable, and hazardous to persons and property because of its physical condition, as determined by the Planning Director;

e. Is declared or certified blighted pursuant to a redevelopment plan approved by the City Council; or

f. Is declared a public nuisance by the City Council.

(2) This Section does not apply to:

a. New construction; or

b. Change of non-conforming uses, unless the existing use is located in a structure that qualifies under subsection (1) and was lawful when it was established.

(b) **Eligibility**. To qualify for the regulatory incentives established below, an adaptive reuse must either :

(1) Retain the existing bulk, height and lot configurations of the existing structure and lot; or

(2) If the building is expanded or relocated on the lot:

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a. The building must meet the rear and side setback requirements of the zoning district. If the building does not meet a frontage buildout standard, the building may expand to increase the frontage buildout, but may not be altered to reduce the frontage buildout.

b. If the existing building is set back at least 20 feet from the front property line, meet the frontage landscaping requirements.

c. Unless the expansion conforms to any maximum building footprint or height standards, the building footprint and height may expand:

a. By up to 20%, or

b. By up to 50% if authorized by a conditional use review.

d. If the building is located in the R-O, B-1, B-3, AE or CBD zoning districts, the front façade shall at least maintain the existing percentage of windows and entryways after the building is rehabilitated.

(c) Code Compliance. An adaptive reuse shall comply with all current, applicable building and fire code standards.

(d) Permitting. The building subject to adaptive reuse must obtain a building permit under the standards in effect at the time of application, including any alternative standards adopted by the City of Laredo for existing buildings.

(e) Uses. In addition to any use permitted in the base district, a building that qualifies under subsection (a) of this section is allowed any the following new residential and/or mixed uses**:**

(1) Dwelling units (single family, duplex, townhomes, apartments, condominiums)

(2) Live-work units.

(3) Mixed-use buildings.

(f) Incentives. An adaptive reuse qualifies for the following regulatory incentives:

Table 6.4-1 Adaptive Reuse Incentives

(A)	(B)	(C)
Incentive	**Existing Building Rehab** *(see subsection (b)(1) above)*	**Expansion** *(see subsection (b)(2) above)*
Building Height	Existing building height is considered permitted and not nonconforming.	In addition to Column (B), any expansion must comply with subsection (b)(2)c above.
Landscape & Preservation *(Section 24.3.6)*	No additional landscaping is required. Additional landscaping provided must be maintained.	If the building is located further than 20 feet from the right-of-way, frontage landscaping is required. No additional landscaping is required.
Parking & Loading *(Section 24.3.7)*	Existing parking and loading spaces shall be maintained or may decrease where allowed	For existing building space, Column (B) applies. Parking space requirements are reduced by 50% for any expansion, if the total number of

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	by Article 3. No additional spaces are required.	parking spaces existing prior to the expansion is not reduced.
Amenity Space *(Section 24.4.4)*	No amenity space is required.	No amenity space is required unless the expansion exceeds 20,000 square feet or 50% of the existing building area. Additional amenity space is calculated only for the additional building area.
Stormwater management *(Sections 24.4.5 and Article 5, Division 5)*	No Stormwater Management Permit or Simplified Storm Water Management Control Plan is required.	Only a Simplified Storm Water Management Control Plan is required.

24.6.5 Agriculture uses

(a) **Applicability**. This section applies to any agriculture use as defined by Article 10 section 24.10.2 Definitions of this UDC. Agriculture uses can enhance food security, production, promote sustainability and preserve land (see Texas Local Government Code Title 8 § 251.001). Uses can range from small scale in urban areas to large scale in larger open space subject to applicable zoning districts listed in section 2.16-1 Land Use Table.

(b) **Community Garden**

(1) Registration. Community gardens must register with the Director of Planning. The registration packet shall include:

a. Authorization from the property owner;

b. Governance structure of the garden;

c. Hours of operation;

d. Maintenance and security requirements and responsibilities;

e. Contact information for a garden coordinator/manager; and

f. Garden site plan.

(2) Lighting. Any lighting shall be shielded so that all directly emitted light stays on the property.

(3) Stormwater. Water that has been used on-site shall not flow onto adjacent property, including water used for irrigation purposes. In addition, the City Engineer may determine the appropriateness of a Community Garden location due to potential impacts on the stormwater system.

(4) Nuisances. All gardens shall be maintained to be free of odors, pests, rodents, trash, and/or anything else that might be considered a nuisance. Trash and recycling receptacles or any such other containers must be kept outside of all applicable building setbacks for the associated property. Composting containers shall be located in accordance with paragraph I., Composting, below.

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(5) Prohibited Plants. The planting and/or growing of illegal or invasive plant species, as listed in Table 3.7-4, Prohibited Plants, is prohibited.

(6) Permits. Applicable permits for buildings, fences, and/or utilities may be required. All other applicable City of Laredo Ordinances shall apply to Community Gardens.

(7) Fences. Fences are permitted pursuant to the allowances for the associated district.

(8) Buildings. A shed structure may be utilized on-site for storage of materials and tools used for garden cultivation, subject to the following:

a. Maximum square footage of shed structure is 200 square feet.

b. Maximum height of buildings is 10 feet.

c. All buildings shall meet zoning setback requirements.

d. This requirement may be split into one shed and one greenhouse, neither structure to exceed 100 square feet.

(9) Composting. Composting may be performed on-site, within a composting container, subject to the following:

a. Composted materials shall be generated on-site or contributed by members of the community garden; and

b. All composting containers shall be located a minimum of 20 feet from side and rear property lines and a minimum of 40 feet from the front property line.

(10) Signs. One 18" x 24" sign is permitted per lot.

(11) As Accessory Use.

a. Accessory to Residential Use. A community garden located on a lot with an existing residential use shall meet standards in paragraphs 1 through 6., above, and applicable standards in section 24.6.02, Residential Accessory Uses and Structures.

b. Accessory to Nonresidential Use. A community garden located on a lot with an existing nonresidential use shall meet standards in paragraphs 1. through 7., above.

(c) Greenhouse/Nursery:

(1) *Permitted Activities and Structures.* A food truck court may allow for:

a. Accessory Structures. If housed in an accessory structure, the accessory structure shall not be greater than one-half of the square footage of the primary structure.

b. Personal Use. The use shall be limited to personal use only with no commercial activity occurring on-site.

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24.6.6 Amusement Redemption Machine Establishment

(a) **Applicability**. This section applies to any Amusement Redemption Machine Establishment in the C District.

(b) **License**. Any required license pursuant to Chapter 18, Article I of the Laredo Code is required.

(c) **Standards.** See Section Sec. 18-2.4 of the Laredo Code.

24.6.7 Bars

Bars are subject to the following performance standards:

(a) **Sign Placement**. All signs shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.

(b) **Safety**. Bars shall discourage criminal activities and vandalism. This includes provisions for sufficient lighting and perimeter fencing, elimination of dark areas, and building orientation to provide maximum site from a public street.

(c) **Litter.** Bars shall make provisions to minimize litter, and to keep it from blowing onto adjacent streets and properties.

24.6.8 Campgrounds

A conditional use permit may provide for campground areas that are designed for use by tents, recreational vehicles, or other camping structures. These areas shall not locate in any sections designed for manufactured homes. A conditional use permit shall designate areas for tent camping and recreational vehicles. Areas set aside for tent camping and recreational vehicles are exempt from amenity space requirements.

24.6.9 Flea Markets

A flea market shall comply with the following:

(a) Direct access shall be provided to an arterial street.

(b) The flea market shall not adjoin any residential zoning district.

(c) On-premises public sewer and water facilities and services shall be available which meet public health and adopted building code standards for a public rest room established in the Standard Plumbing Code Table 922.2 "Minimum Plumbing Fixtures" for restaurants. Retail sales area is measured as all area of the business grounds excluding parking and required building setbacks.

(d) A flea market shall be designed for sales made from booths and not directly from motor vehicles.

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24.6.10 Food Trucks

(a) Applicability. This section applies to any food truck or food truck court as defined by section 13-21 of the Laredo Code. Food trucks and food truck courts are divided into short-term and long-term categories as regulated below

(b) Generally

(1) Food trucks and food truck courts shall comply with all applicable requirements of Chapter 13 of the Laredo Code (see section 13-24 (Food truck regulations)), and all applicable rules of the Department of State Health Services (see Texas Administrative Code Title 25 § 228.221).

(2) Any food truck or food truck court operating in the street right-of-way or other public space shall comply with Chapter 28, Article V of the Laredo Code.

(3) The operator shall submit a site plan to the Planning Director depicting the location of the food trucks on the property and all permits and licenses required by section 13-24 of the Laredo Code before commencing operation.

(4) No food truck shall operate in the right-of-way of any street or thoroughfare where the lawful speed limit exceeds 30 miles per hour.

(5) Parking requirements for food trucks are established by section 24.3.7 (Parking and Loading). If food trucks or food truck courts are located on the same property as another principal use, the total number of parking spaces on the parcel shall accommodate the food truck/food truck court and all principal uses on the property.

(6) Food trucks, portable restroom trailers, and other temporary structures related to food trucks are not subject to the section 24.3.4 (Building Design & Height), except for any computation of maximum height.

(7) Exterior lighting must be hooded or shielded so that the light source is not directly visible to a residential use.

(8) All food trucks located in a food truck court shall be on an improved, permanent surface. If the food truck is located on private property, the surface shall comply with section 24.3.7 (Parking and Loading).

(c) Food Truck Courts. The following apply to all food truck courts:

(1) *Permitted Activities and Structures.* A food truck court may allow for:

a. Only food trucks that hold valid permits and licenses as required in this section;

b. The food trucks within the food truck court to remain on their pad sites overnight. Note: Food trucks are required to leave the food truck court at least once a year to retain food truck status.

c. Tables, chairs, and canopies for food court customers.

d. Signs in accordance with the section 24.6.22 (Signs).

e. Music (live acoustic or recorded) that is played or broadcast in compliance with Chapter, Article XI (Noise Nuisances) inside the food truck court's property boundaries, and a small playground areas.

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(2) *Pad Sites*

a. Food truck courts shall designate pad site locations for individual food trucks in the site plan required above.

b. Food truck pad sites and dining areas shall comply with the setbacks for the applicable zoning district.

c. All food truck pad sites shall be separated from other pad sites, dining areas, and structures by at least 10 feet.

d. Pad sites and dining areas shall not be located within fire lanes, easements, setbacks, buffers, or visibility triangles.

(3) *Hours of Operation.* Food truck courts shall operate only between the hours of 8 a.m. and 11 p.m.

(4) *Site Manager.* Food truck courts shall have a site manager that will remain on property during the hours of operation.

(d) Short-Term Food Truck Courts

(1) A short-term food truck court is temporary in nature, intended as an interim use on undeveloped or previously developed land where the property owner is investigating or pursuing long-term use or redevelopment of the property, or where the food truck is associated with a special event. In addition to the items in subsection (c)(1) above, a short-term food truck court may allow for the establishment of a site that provides for the gathering of two (2) to five (5) food trucks.

(2) A short-term food truck court shall:

a. Locate at least 100 feet from a residential zoning district;

b. Provide only portable or temporary improvements. Long-term or permanent improvements are not allowed.

c. Provide adequately maintained trash receptacles for customer use.

d. Comply with general site plan requirements described in the Site Plan Review section of Article 3, Development Review Procedures, the applicable requirements of Article 7 General Development Standards, and the specific use standards below.

(3) Short-term food truck courts shall not impede vehicular circulation or block fire lanes or sanitation routes through the existing sites on which they are located.

(4) Short-term food truck courts are not subject to the landscaping requirements of section 24.3.6 (Landscaping & Tree Preservation), but are subject to any tree preservation requirements.

(5) Short-term food truck courts shall use existing solid waste collection sites on the properties on which they are located, and provide proof of permission to do so.

(e) Long-Term Food Trucks Courts

(1) Long-term food truck courts are intended to have more permanency than short-term food truck courts and are held to the same development standards as restaurant developments, with the exceptions identified in the specific use

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standards below. In addition to the items in subsection (c)(1) above, a long-term food truck court may allow for:

a. The establishment of a site that provides for the gathering of two (2) or more food trucks.

b. Food trucks to access potable water and sewage disposal facilities onsite. If these utilities are made available, they shall be located in a manner to necessitate the movement of each food truck to access the utilities.

c. Larger-scale entertainment and accessory uses for court customers, such as a volleyball court and bar, or related items that the Planning Director determines are at a scale that would not disturb surrounding property owners.

d. Accessory structures.

e. Alcohol sales with approved permits and licenses from the Texas Alcoholic Beverage Commission.

(2) A long-term food truck court shall locate at least 150 feet from a residential zoning district and 500 feet from an RL district.

(3) If water and wastewater facilities are provided to food trucks in a long-term food truck court, the site shall be designed to require all food trucks to remain mobile to access these facilities. Additional tanks or portable tanks for wastewater are prohibited.

24.6.11 Head Shops

Drug and Tobacco Paraphernalia Shops (Head Shops) and Tobacco Shops are subject to the following conditions:

(a) Hours of operation are limited from 8 a.m. to 12 midnight.

(b) No person under 18 years of age is permitted to enter the establishment or purchase any products from the establishment unless accompanied by an adult parent or guardian.

(c) Each establishment shall post a sign conspicuously on each public entrance or near each public entrance notifying the public that no person under the age of eighteen years of age may enter the establishment unless accompanied by an adult parent or guardian.

(d) Drug and Tobacco Paraphernalia Shops (Head Shops) shall not locate within eight hundred (800) feet of any:

(1) residential district,

(2) religious land use,

(3) public or private elementary, middle, or high school,

(4) day care licensed by the state,

(5) public playground, or

(6) park.

(e) Tobacco Shops are not located within three hundred (300) feet of any:

(1) residential zoned district,

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(2) church,

(3) public or private elementary, middle, or high school,

(4) day care licensed by the state,

(5) public playground, or

(6) park.

(f) An opaque fence or wall at least 7 (seven) feet tall shall be constructed along any side or rear property lines which abut or adjoin property containing a residential use.

(g) Establishments shall make provisions to minimize litter, and to keep it from blowing onto adjacent streets and properties.

(h) There shall be no ground vibrations created or sustained on the site which are perceptible without instruments at any point on any property adjoining the subject property.

(i) The establishment shall undergo an annual Fire Inspection.

(j) This section does not legalize or apply to the delivery, furnishing, transferring, possessing or manufacture of drug paraphernalia or any use otherwise prohibited by state or federal law.

(k) Tobacco Shops are required to submit, at the request of the City, an audit or allow an audit, of their gross revenue to insure that less than 45% of the establishment's gross revenue is derived from Drug paraphernalia sales. *(Ordinance No. 2015-0 -124, 9/21/15)*

24.6.12 Junkyards

(a) Generally

(1) This section applies to any junkyard.

(2) A business where 3 or more junked items or used appliances are located temporarily or permanently requires a conditional use permit, except where located within an enclosed building or which is located in an M-2 (Heavy Manufacturing) district and which otherwise conforms to this section.

(3) Both new and legal non-conforming businesses shall comply with this section.

(b) Requirements.

(1) Junkyards shall be enclosed by an opaque fence or wall at least seven (7) feet tall, and constructed and maintained in conformance with the requirements of Section 24.3.5 (Fencing and Screening) in commercial and industrial districts and the following:

a. Where fences or walls abut residential property, no junk, salvage or used appliance shall be located less than 20 feet from the property line.

b. Fences or walls on property lines that front on arterial streets require a minimum of:

1. 20 feet setback from the property line; or

2. a distance from the property line at least equal to the average setback of the buildings on adjoining properties.

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c. All junkyards require security against unauthorized entry or trespass during non-business hours.

d. Junkyards located adjacent to or within 1000 feet of a State Primary Aid Highway shall provide a fence located at least 20 feet from the front, side, or rear property line of at least the height of accumulated junk, salvage or used appliances.

e. The storage or display of junk, salvage or used appliances outside the fenced area is prohibited.

(2) All used appliances, parts or other materials located in or on the premises of any junkyard shall be arranged to allow reasonable access to and inspection of the premises by authorized fire, health, police and building officials of the City of Laredo. Latches and/or doors shall be removed from all refrigerators and freezers located within the yard. Oil, gasoline, and other flammable liquids shall be drained from wrecked vehicles.

(c) **Nonconformity**. All junkyards that do not conform to this section after October 15, 1986 are deemed illegal uses, and are subject to enforcement under the provisions of this section.

24.6.13 Manufactured Homes and Manufactured Home Parks

(a) **Applicability**

(1) This section applies to any designated R-1-MH (Single-Family Manufactured Housing) district.

(2) Manufactured homes located on a lot of record that is owned by the owner of the manufactured home and maintained in one ownership, and which meets all applicable requirements are permitted where indicated in the Use Table (section 24.2.16).

(b) **Uses Permitted.** The R-1-MH district allows any use permitted in the R-S (Residential Suburban) district, in addition to manufactured homes and manufactured housing parks.

(c) **Lot Standards and Manufactured Home Placement**

(1) Only one manufactured home is permitted per manufactured home rental space in manufactured home parks.

(2) Manufactured homes shall comply with the Finished Floor Requirements of the Stormwater Management standards (section 24.4.5).

(3) All manufactured housing lots shall have a level and graded pad provided in conformance with standards promulgated by the Department of Housing and Urban Development.

(4) Anchors and tie-downs for manufactured homes shall conform to applicable building codes.

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(5) All manufactured homes shall be skirted in conformance with standards established by the Building Standards Board.

(6) The pulling hitch shall be removed from the manufactured home unless otherwise prohibited by law within 90 days of placement.

(d) Non-Residential Uses. Any non-residential use is subject to the same requirements as the R-S (Residential Surburban) district.

(e) Utilities. All public and private utilities shall be placed underground. Water and wastewater utilities shall be located within the street right-of-way. Private utilities which are not located in the street right-of-way shall be located in dedicated easements.

(f) Park and Open space dedication. See section 24.4.4 (Amenity Space Standards).

(g) Additions. Additions to manufactured homes are prohibited except for the following:

(1) Porches, carports, awnings, window shading, or housing unit shading that conforms to all building code and setback provisions.

(2) Additions to and expansion of the living quarters (including bedrooms, dining, living, and baths) if:

a. The addition conforms to all applicable building codes, and

b. The manufactured home is attached to the land by rendering it for tax purposes as real property, and[1]

c. The manufactured home and all additions conform to all setback provisions established in the applicable zoning district.

(h) Screening

(1) The perimeter of a manufactured home park shall be buffered from all R-S, R-1, R-1A and nonresidential subdivisions by an opaque fence or wall at least seven feet in height.

(2) The landscaping and tree preservation standards for new subdivisions (section 24.3.6(b) apply to a manufactured home park. The landscaping and tree preservation standards for existing subdivisions (section 24.3.6(c)) apply to the placement of a manufactured home on an existing lot.

(3) No fencing or permanent wall or structure may be located within the front yard setback.

(i) Existing Manufactured Home Communities. Any mobile home park, in existence on January l, 1984 may be subdivided into lots if it was designed and built in accordance with mobile home park regulations of the Land Development Ordinance in effect when the mobile home park was constructed subject to the following subdivision standards:
(As amended 8/21//84, Ordinance # 84-0-128)

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Table 6.12-1 Standards for Subdivision of Existing Manufactured Home Communities

Factor	Standard
Lot access (*all lots shall have access to a dedicated, public street right-of-way of the following width*)	30' (*min*)
Street paving (*minimum width*)	30 feet back-of-curb to back-of-curb
Street construction	City Standards, except the Street may be either roll over or high back curb and gutter
Sidewalks	4' wide Constructed to City standards along at least 1 side of street rights-of-way
Cul-de-sac radii	40' (*min*)
Lot size	4,000 sf (*min*)
Utility easement (*outside street*)	12' wide (*min*) for all utilities
Utility easement (*in street right-of-way*)	50' (*min*) right-of-way

a. Water, sewer, drainage, street lights, street name signs and all requirements of this Chapter apply except as stated in this section.

b. After any subdivision of a mobile home park, the applicant may rent the lots for up to 3 years.

24.6.14 Mini-Warehouses

Mini-warehouse facilities shall comply with the following design standards.

(a) The facility shall be located at least 350 feet from a Principal Arterial as identified in the Future Thoroughfare Plan.

(b) At least 5% of site shall be reserved for landscape purposes, in addition to the requirements of Section 24.3.6 (Landscaping & Tree Preservation).

(c) Mini-warehouses shall be enclosed by an opaque fence or wall at least seven (7) feet tall that complies with Section 24.3.5 (Fencing and Screening).

(d) Flammables, combustibles, corrosives, toxins, nuclear waste, hazardous waste water, or any material requiring placards for transport are not permitted. No permits for storage of any like materials issued by the Laredo Fire Department shall supersede this provision.

24.6.15 Nationalization of Vehicles

A nationalization of vehicles enterprise requires a site plan and shall comply with the following:

(a) A two (2) acre minimum lot size is required.

(b) The use shall not locate within 200 feet of:

(1) Any residential structure;

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(2) The boundary of any district zoned AG, R-S, R-1, R-1A, or R-1B.

(c) Two public restroom facilities per one acre of land are required on the premises. Restrooms must comply with public health and adopted building code standards established in the International Plumbing Code Table 403.1 "Minimum Required Plumbing Fixtures".

(d) Property lighting shall be screened to avoid adverse impact on adjacent residential neighborhoods.

(e) Trees and shrubs shall be planted along the perimeter of parking areas in accordance with the Section 24.3.6 (Landscaping & Tree Preservation).

(f) All parking lots shall be paved with asphalt or concrete materials.

(g) Dumpsters, trash bins, and locations for refuse collection shall be provided on site.

(h) A minimum seven foot opaque fence is required adjacent to residential uses.

24.6.16 Oil & Gas Production and Extraction

(a) Applicability

(1) This section applies only to aboveground activity related to oil and gas production and extraction.

(2) It is unlawful and a violation of this section for any person, acting either for themselves or as an agent, employee, independent contractor or servant of any other person, to explore for oil and gas, or to commence operations, or to operate or service any well, or to drill, or to re-enter any well including to workover, re-complete, plug back, deepen, or activate any well or to re-enter any well which has been plugged and abandoned, or to engage in related storage of oil, natural gas, and other hydrocarbons within the corporate limits of the city without complying with this section.

(3) The Planning Director may waive any standard set out in this section upon finding that it:

a. is not commercially reasonable, as defined by Texas Natural Resources Code § 81.0523, or

b. effectively prohibits an oil and gas operation conducted by a reasonably prudent operator, or

c. is preempted by state or federal law.

(4) By accepting any permit authorized and issued pursuant to this section, any operator or permittee expressly stipulates and agrees to be bound by and comply with this section and that by reference, the terms of this section are deemed incorporated in any permit issued pursuant to this section with the same force and effect as if this section was set forth verbatim in the permit.

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(b) **Description of Activities.** The owner or operator shall file a metes and bounds description of the drilling block situated within the outlines of drilling areas proposed or approved by the Railroad Commission of Texas (the "Railroad Commission"). The description shall be prepared by a licensed surveyor. When the drilling operations are approved by the Commission, it becomes the official legal description of the drilling block for all purposes in this section.

(c) **Generally**. The following standards apply to any activities subject to subsection (a):

(1) The hours of drilling operations, re-entry and well servicing are limited to daylight hours in developed areas, except in the case of an emergency.

(2) Use of all-electric drilling rigs and generators are required is any residential structure is less than 600 feet from the well.

(3) Lighting of drilling operations shall be screened to avoid adverse impact on adjacent residential neighborhoods.

(4) In lieu of a chain link fence, all wells and tanks located in a developed residential or commercial area shall be screened by a solid masonry wall around the well within 60 days of completion of drilling, redrilling, reworking, converting or activation. The wall shall be of solid neutral color, compatible with surrounding uses, and maintained in a neat orderly, secure condition. The wall shall be at least six feet in height and constructed in accordance with provisions of the city building code. The entry gates shall be of galvanized steel, and shall be kept locked.

(5) For wells visible from a public street in a developed residential or commercial area, the site shall be landscaped in accordance with Section 24.3.6 (Landscaping & Tree Preservation).

(6) Shrubs shall be spaced at intervals of at least three (3) feet along the perimeter of the solid masonry wall adjacent to the right of way, exclusive of driveway entrances, pedestrian walkways and cutback areas. The shrubs shall be maintained at a height of no more than 36 inches nor less than 18 inches. The plan shall be submitted and approved by the Planning Director, and shall be implemented with the installation of the masonry wall.

(d) **Public Nuisance Declared**. No person shall conduct any well operation in a manner that would create a noise, odor or vibration detrimental to the health, safety or welfare of the surrounding neighborhood or any considerable number of persons. That operation is hereby declared to constitute a public nuisance and subject to the provisions of Chapter 21, Article II, of the Code of Ordinances pertaining to "Nuisances."

(e) **Registration of Wells in Annexed Territory.**

(1) The owner or operator of every existing well within any territory annexed after the effective date of this section shall register the wells with the Planning Director within six months after the date of annexation. The following information shall be submitted to the Planning Director for purposes of registering an existing well:

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a. A sketch or map showing the location in relation to a permanent marker, such as in a street or road intersection, or with metes and bounds referenced to a filed plat to show the exact location of the surface installation at the site of the well including the drilling block number and its elevation.

b. A short description of the surface installations, including tanks, pumping equipment, compressors, LTX units, etc.

c. A specification of existence of any buildings, structures or public roads to the well within 600 feet of the location.

d. An affidavit shall be attached verifying the truth of the statements contained in the application as well as showing the name of the operator and the name and addresses of the owners of the working interest.

e. A copy of all Railroad Commission forms filed by the operator pertaining to the wells.

(2) If the owner or operator of an existing well does not file an application to operate the well and receive the Planning Director's approval within six (6) months, it shall incur a penalty of $50 per day until the application is filed.

(f) **Insurance**. All operators shall maintain or cause to be maintained comprehensive general liability insurance and insurance coverage on their employees, agents and contractors (or require that insurance to be maintained), in addition to required workmen's compensation insurance, in at least the following amounts:

(1) Bodily injury, per individual or per event: $1,000,000

(2) Property damage, per accident or accidents: $100,000

(3) Umbrella Insurance, each accident: $1,000,000

(4) Cost of Well Control: $5,000,000

(g) **Bonds**.

(1) *Generally.* Prior to the issuance of any permit, the applicant shall file a bond with the city secretary executed by the applicant as principal and by a good and sufficient corporate surety company. The bond shall provide that the principal will remedy any and all damages to the streets, curbs, gutters, water lines, fire hydrants and other public property, occasioned in any manner by the principal, his agents, employees, servants and contractors, and that applicant will reimburse the city for any expenditures made by the city. The bonds shall inure to the benefit city; shall be in a form acceptable to the city attorney; and shall be in the amount of one hundred thousand dollars ($100,000.00). The applicant is not required to post additional bond if it has in effect and on file with the city secretary an approved bond, filed in connection with some other application for the same applicant, in the amount of one hundred thousand dollars ($100,000.00) as required by this section. Each bond shall be for a term of ten(10) years and shall be kept in effect by renewal on or before any expiration date unless the applicant is sooner released. "Good and sufficient corporate surety company" means a surety company licensed to do business in the state and whose name

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appears on the current list of accepted surety on federal bonds published by the U. S. Treasury Department. Whenever a bond is mentioned in this section the bond, to be acceptable, must have a good and sufficient corporate surety company as surety.

(2) *Release of Bond*. The permittee may have the bond released by the Planning Director:

a. When the permittee ceases operations, completes plugging of all wells for which permits are in effect, removes all equipment and machinery, and files a written request for release of the bond with the Planning Director.; or

b. When the permittee assigns, transfers, or conveys its interest to another and the assignee, transferee, or recipient files a good and sufficient bond in accordance with the terms of this section.

(h) **Deed Restrictions**. This section does not authorize the drilling of any well where legally enforceable deed restrictions or covenants prohibit the drilling of the well.

(i) **Surface Rights**. This section or any permit issued under this section does not:

(1) Grant any right or license to the permittee to enter upon or use any land; or

(2) Limit or prevent the property owner from contracting for any payment of any kind for damages or for rights or privileges with respect to surface rights

(j) **Inspection Fee**. There is levied an annual per well inspection fee of $150 which is due and payable during the month of January of each calendar year. Failure to pay this fee is cause for revocation of any permit issued under this section . The Planning Director will prepare an annual well inspection report which is to be made available to the operators prior to January first of each year. If an intent to plug and abandon a well is filed with the Planning Director prior to January thirty-first, but which is not completed by January thirty-first, payment of the $150 fee for that well is excused if the well is finally plugged and abandoned in accordance with this section prior to March first of that same year. A new well on which drilling operations are in progress on the thirty-first day of January is exempt from the $150 fee for the remainder of that calendar year.

(k) **Compliance**. The operator is responsible for compliance with this section during all operations at the well. Any violation of any valid law or of any valid rule, regulation or requirement of any state or federal regulatory body having jurisdiction with reference to drilling, completing, equipping, operating, producing, maintaining, or abandoning oil or gas wells or related appurtenances, equipment or facilities, or with reference to firewall, fire protection, blow out protection or safety of persons or property is a violation of this section.

(l) **Well Head Setbacks**.

(1) No well shall be drilled or re-entered for deepening or conversion, the surface location of which is:

a. Within less than the height of the drilling rig plus 25 feet from any street, alley or utility easement, unless the operator obtains a variance to be approved by the Zoning Board of Adjustment.

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b. Within less than 400 feet from any residence or other permanent structure intended for human occupancy, unless the operator obtains a variance from the Zoning Board of Adjustment for which the operator provides notarized affidavits from all affected property owners within 400 feet of the proposed well stating consent to the proposed drilling or re-entry activity for deepening or conversion.

c. Within less than 400 feet from any exterior boundary line or 600 feet from any building or land used by any public or parochial school, college, university, or hospital, or which is occupied by a religious land use or a public building, unless the operator obtains a variance from Zoning Board of Adjustment for which the operator provides notarized affidavits from all affected property owners within 600 feet from the proposed well stating consent to the proposed drilling or re-entry activity for deepening or conversion.

d. Within less than 400 feet from the exterior boundary line of lands utilized for cemeteries or public parks, unless the operator obtains a variance from the Zoning Board of Adjustment.

(2) No well shall be re-entered for reworking which does not involve deepening or conversion or for plugging and abandonment, the surface location of which is within less than 200 feet from any residence or other permanent structure intended for human occupancy, unless the operator obtains a variance from the Zoning Board of Adjustment for which the operator provides notarized affidavits from all affected property owners within 200 feet of the proposed well stating consent to the proposed re-entry activity for reworking which does not involve deepening or conversion.

(m) Development Setbacks. Development setbacks shall be pursuant to the provisions in section 24.3.3 (Blocks, Lots and Yards).

(n) Operational Standards

(1) *Mud*. Drilling mud shall be environmentally safe water-based fluid. No excess mud shall be allowed to accumulate on the site, and residues shall be removed following the completion of drilling operations. All post-drilling shavings shall be hauled out upon completion.

(2) *Hydrogen Sulfide*. No well may be operated within the corporate limits where the hydrogen sulfide concentration exceeds the minimum standards authorized under Rule 36 of the Railroad Commission rules (16 Tex. Admin. Code § 3.36).

(3) *Transport Lines*. Markers shall be installed to identify the location of collection and transport lines to prevent accidental rupture.

(4) *Pits*. The use of earthen pits for reserve mud or waste material such as drilling mud, contaminated mud, drill stem test returns and the like are not permitted. However, earthen pits may be used to store fresh water and for drill cuttings only. A sump pit may be constructed and used to collect and temporarily hold runoffs from the rig. Upon completion of any well, any earthen pit and sump pits

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shall be emptied of contaminated materials, allowed to dry and filled with dirt and smooth leveled with the grade of the drilling block, and reseeded with native grass for erosion control.

(5) *Derricks and Rigs*. No operator shall use or operate any wooden derrick in connection with the drilling or reworking of any well, or permit any drilling rig or derrick to remain on the premises or drilling site longer than 60 days after completion or abandonment of any well. All engines shall be equipped with effective mufflers.

(6) *Blowout Preventer*. Two (2) dually controlled, hydraulically activated ram-type blowout preventers with a manually operated lock with working pressure rating equal to the maximum anticipated wellhead pressure, but at least equal to the minimum internal yield pressure rating of the casing to which it is connected, shall be used for all drilling or completion operations involving the use of drill pipe or tubing after the surface casing has been set. For wells drilled to depths below protection casing an annular (Hydril) type blowout preventer shall be used in addition to the two (2) dually controlled blowout preventers specified. The mechanical operation of the blowout preventers shall be checked at least every 24 hours, recorded in a signed and dated log, and pressure tested prior to installation on each casing string at least once a week after that time during the drilling and completing point. A choke manifold having the same working pressure rating as the preventers will be installed below the blowout preventer stack. In addition, the drilling rig, as part of its inventory, will have "inside blowout preventers" for each size and thread of tubing or drill pipe to be used in drilling the test well and any other type of safety equipment commonly used in the industry that may be requested by the Planning Director.

(7) *Surface Casing*. All operators commencing drilling operations on a new well shall set and cement a sufficient amount of surface casing to properly protect all fresh water sands in accordance with the requirements of the Texas Natural Resources Conservation Commission, the Texas Department of Health, and any other governmental agency having jurisdiction. The length of surface casing be at least fifteen hundredths (0.15) of the length of the next string of pipe proposed to be set. The surface casing shall be new or used casing, inspected and pressure tested to have a minimum internal yield value, as defined by the API formula, of at least the product of one (1.0) pound per square inch times the total depth of which the surface casing is set and shall be cemented by the pump and plug method. A volume of cement shall be used which, according to accepted engineering procedures, is calculated to fill the annular space between the surface casing and well bore to the surface of the ground, the cement will be circulated with the pump until the returns of cement are observed at the surface of the ground, and the cement shall be allowed to stand for a period sufficient to develop 1,000 PSI compressive strength before the plug is drilled. If cement does not circulate to the surface, a temperature survey shall be conducted to determine the depth reached by the cement. At that time any remedial

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procedures shall be followed as directed by the Planning Director. As to wells above 4,000 feet, the Planning Director may grant an exception to the surface casing requirements.

(8) *Production and Protection Casing*. The producing or protection strings shall meet API specifications. Cementing shall be by the pump and plug method, and a volume of cement which is according to accepted engineering calculations, sufficient to fill the annular space between the casing and the well bore to a point at least 1,000 feet above the shoe, or the highest producing zone, whichever is the shallower depth. Cement shall be allowed to stand for a period sufficient to develop 2,000 PSI compressive strength before drilling the plug.

(9) *Drill Stem Tests*. Open hole drill stem tests may be conducted only if the well effluent produced during the test is produced through an adequate oil and gas separator to storage vessels, the gas placed into a temporary line to flow into the air at a place approved by the Planning Director, and the effluent remaining in the drill pipe at the time the tool is closed is flushed to the surface by circulating drilling fluid down the annulus and up the drill pipe. The Planning Director shall shut down operations if, in the opinion of the Planning Director, gas is being flared by the operator which is excessive or dangerous.

(10) *Formation Pressures*. No well shall be completed or operated in a zone which is reasonably anticipated to produce shut in pressures in excess of the working pressure rating of the standard API wellhead equipment on the well.

(11) *Wellheads*. All wells shall be equipped with casingheads, tubing heads, and wellhead connections which conform to API standards. The casingheads used on those wells shall have working pressure ratings of at least the highest pressure encountered in the area. All Christmas trees to be used by the operator in the city limits shall be tested to the related pressure after they are installed, and a copy of the testing shall be furnished to the Planning Director. The Planning Director shall approve tubing heads and wellhead connections to be used on those wells, which shall have working pressure ratings in excess of the well's shut in surface pressure. All wells having a surface shut in pressure of 3,000 pounds per square inch or less shall be equipped with at least one master valve and one wing valve. All wells having surface shut in pressures in excess of 3,000 pounds per square inch shall be equipped with at least two (2) master valves and one wing valve, and no such well shall have threaded connections between the surface safety valve and the Christmas tree.

(12) *Multiple Completions*. Multiple completions may be permitted by the Planning Director when the casing, tubing and wellhead equipment is adequate, and the well is properly equipped with special packers for that purpose, together with all equipment customarily required for multiple completions. Except as provided in this section, multiple completion is not permitted.

(13) *Surface Safety Valves*. A high-low surface safety valve shall be installed on all wells with a surface shut in pressure in excess of 1,500 pounds per square inch.

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In addition, a cutoff safety valve will be installed downstream from the wellhead equipment, or as directed by the Planning Director.

(14) *Daily reports*. Daily drilling reports shall be furnished by the operator to the Planning Director. The Planning Director will make periodic inspections, of all wells in the process of being drilled or completed to ascertain that all provisions of this section are observed. Prior to the running of casing, cementing operations, installation of production equipment or perforation operations, the operator shall notify the Planning Director in sufficient time so that the Planning Director may be present.

(o) Final Report. Within thirty (30) days after completion of any well, the operator shall file in the office of the Planning Director a final report including the casing program actually utilized in the well, all cementing affidavits, all tests, a description of equipment and all necessary reports required by all governmental regulatory bodies or agencies having jurisdiction. In addition, the final reports shall specify any changes in well location, depth, and any other variation from the terms of the application. The final report shall specify the perforated interval and include information pertaining to other sands, if any. The Planning Director may request that the operator furnish copies of all logs run on the well. If the well is not a tile well, the operator shall furnish copies of the logs to the Planning Director. If the well is a lite well, the operator shall furnish them six (6) months after the completion of the well.

(p) Well Control

(1) In the event of the loss of control of any well, the operator shall immediately take all reasonable steps to regain control of the well, regardless of any other provisions of this section, and shall notify the Planning Director by telephone and in writing as soon as practicable after receipt of notice of the occurrence of the loss of well control endangering persons or property.

(2) If the Planning Director certifies in writing to the city secretary that in their opinion:

a. danger to persons or property exists because of the loss of well control, briefly describing the situation, and

b. the operator is not taking, or is unable to take reasonable, necessary steps to regain control of the well;

the operator shall employ any well control expert or experts or other contractors or suppliers of special services, necessary to regain control of the well.

(q) Relief Wells

(1) Drilling of a relief well may be commenced without first securing a permit if that action is deemed necessary in the good faith opinion of the operator. The operator shall make all reasonable efforts to notify the Planning Director by telephone as soon as feasible, but failure to make that notification is not a violation of this section. Within 24 hours thereafter, the operator drilling the relief well shall notify the Planning Director that those operations have

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commenced, stating fully the reasons therefore, and shall within five (5) days after commencement of operations apply to the Planning Director for a special permit to drill the well as a "relief well."

(2) No filing fee is required for a "relief well" permit, but the operator drilling the relief well shall furnish the Planning Director any information with respect to the relief well as requested from time to time by the Planning Director. No well drilled as a relief well under the provisions of this section shall be completed as a producing well unless a permit therefore is issued in the same manner as is required for drilling any other well. A "relief well" permit will be for six (6) months only, and any relief well not completed as a producing well shall be plugged and abandoned within six (6) months after commencement of drilling operations, unless the Planning Director grants an extension.

(r) **Pipelines**. Before any excavation or construction work is commenced on any pipeline to move oil, gas, water or other product to or from any well site, on, over, under, along or across any city street, sidewalk, alley or other city property, a franchise shall first be obtained from the city council. All pipelines shall be laid only in accordance with the provisions of that franchise, this code, the city charter and other ordinances of the city. Before a franchise is obtained from the city council, the parties requesting the franchise shall present information to the city pertaining to the safety equipment to be used in the pipeline, the type of pipe to be used, and how the same compares to state and federal regulations for similar type pipelines to be operated within a city. All permanent pipelines, shall meet A.SA 331.8 specification or better. Any operator constructing a pipeline shall furnish the Planning Director a centerline description plat showing the proposed and as-built location and size of such pipeline. No operator shall interfere with or damage any existing storm sewer, drainage facility, water line, sewer line or gas line, or facility of a public utility located on, under or across the course of any such pipeline. Temporary lines may be laid under revocable easements.

(s) **Storage facilities**. Steel storage tanks shall be used to store liquid hydrocarbons and shall be constructed, installed and maintained in a good and workmanlike manner. All steel tanks shall meet the minimum quality and design standards of API 12B standard bolted steel tanks or API 12D standard welded steel tanks including recommended pressure and vacuum relief valves. All steel tanks shall be equipped with a vent line and a flame arrester shall be installed at the point where gas is vented to the atmosphere from the vent line. Each tank or tank battery shall be surrounded by an earthen fire wall located at such a distance from the tanks and of sufficient height to hold and retain at least one and one-half (1 1/2) times the maximum capacity of the storage facilities. An operator may use, construct and operate steel conventional separators and such other appurtenances as are reasonably necessary for treating oil, condensate, or gas at each tank battery location. Those facilities shall be constructed and maintained to meet or exceed API standards. All pressure vessels shall be equipped with both a regulation pressure relief safety valve and a bursting head.

(t) **Fired Vessels**. No fired vessel or open flame shall be located nearer than 150 feet from any well or storage tank.

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(u) **Fences**. Within 60 days of completion of drilling, redrilling, reworking or converting, or activation of an idle well, drill sites are to be secured from unauthorized entry by appropriate means which may include gate guards or a cyclone fence of heavy gauge. The entry gates shall be of galvanized steel, and shall be kept locked. All wells and production facilities shall be adequately protected by a cyclone type fence of heavy gauge wire, at least seven (7) feet tall with an 18 inch or longer barbed wire apron around the top, with the fence and apron extended over entry gates. The entry gates shall be galvanized steel and cyclone-type mesh, and shall be kept locked to prevent unauthorized entry. Flashing red warning lights shall be installed as requested by the Planning Director on the tank battery sites. Safety precautions normally taken by reasonably prudent operators shall be observed. The final design of the fence around the wells and production facilities shall be approved by the Planning Director.

(v) **Pumping Unit Prime Movers**. Only electric prime movers are permitted for the purpose of pumping wells.

(w) **Vented Gas**. No operator shall allow gas to escape or be vented into the air except for bleed gas normally vented from standard gas flow controls and normal stock tank vapors. All gas burned shall be burned in a manner which does not create or constitute a fire hazard. The location of the torch, pipe or other burning device, and their construction, maintenance, and operation shall comply with any regulations issued by the city.

(x) **Salt Water and Waste Water Disposal**. All salt water produced from any oil or gas well shall be disposed of in accord with the requirements of the Texas Railroad Commission. No person shall permit any crude oil, gas or other flammable petroleum product to spill over, overflow, leak, drain out, escape or accumulate in any sewer or about the premises, or on any surface, or in any open surface ditch or any other exposed surface conduit, or handle any hydrocarbon in any manner or amount which creates a potential fire hazard, or permit any condition which may pollute any surface or subsurface water or damage any publicly owned land.

(y) **Production Equipment**. The operator shall maintain all production equipment in good condition.

(z) **Premises to be Kept Clean**. All surface areas utilized by an operator for production facilities shall be kept clear of dry grass, weeds and combustible trash or other rubbish or debris that would, if allowed to accumulate, result in a fire hazard. If the operator does not keep the premises clean, the Planning Director may have it contracted and the payment of that work performed shall constitute a valid lien against the property.

(aa) **Signs**. Printed signs with at least two (2) inch letters reading "DANGER, NO SMOKING OR OPEN FLAMES ALLOWED," or similar words, and in Spanish "PELIGRO, NO FUMAR, MATERIAL COMBUSTIBLE," or similar words, shall be posted in conspicuous places on each well, storage tank or battery of tanks. The signs shall include well name, drilling block number, R.R.C. identification number, twenty-four hour emergency telephone number, and notification telephone number of the Laredo Fire Department.

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Well and lease designations required by the Railroad Commission or any other governmental authority having jurisdiction shall also be displayed.

(bb) **Blocking of Streets and Alleys**. No street or alley shall be blocked or obstructed by any drilling or producing operations unless prior consent is obtained from the city, except in connection with emergency operations being conducted under or pursuant to sections 22-81 and 22-82.

(cc) **Plugging and Abandonment**.

(1) All wells within the city limits which are not producing oil or gas on a regular basis will, be plugged and abandoned, except as follows:

a. Wells in use as water supply wells in compliance with rules and regulations of the Texas Natural Resources Conservation Commission and the Texas Department of Health.

b. Wells in use as salt water or waste disposal wells operating under a valid permit

c. Wells used as injection or observation wells in secondary recovery, pressure maintenance or other improved recovery operations where the operations are conducted under a valid permit from the Railroad Commission.

d. Wells capable of producing oil or gas on a regular basis which are shut in.

e. Any well on which drilling, reworking, recompletion, or well servicing operations are in progress and continued with no cessation of more than 90 consecutive days.

(2) If a well is abandoned, the operator shall plug the well in accordance with the rules of the Railroad Commission and this section. The operator shall submit to the Planning Director's office 24 hours in advance of the plugging operation an application for a permit which shall include a notice of intent of plug and abandon a description of the abandonment program and the filing fee. If a drilling or reworking operation has just been completed on a well and the operator desires to plug and abandon the well, the 24 hour notice is reduced to at least a two (2) hour notice. The abandonment operations shall be conducted in a manner that prevents well fluids from reaching the surface or contaminating subsurface fresh water zones.

(3) Where enough of the producing or protective casing, has been removed from the well to expose the shoe of the surface casing, then a two hundred-foot cement plug shall be placed opposite the shoe of the surface casing to extend at least one hundred (100) feet downward and a similar 100 feet upwards from the shoe of the surface casing. Sufficient time shall be allowed for this cement to harden enough so that it will sustain the weight of drill pipe or tubing to this depth. The operator shall feel for the top of the plug to determine that the top is at least 100 feet above the shoe of the surface casing and is of sufficient hardness to hold the weight of the drill pipe or tubing to this depth. If a mechanical bridge plug or cement retainer is used in the middle of the cement plug, the operator is not

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required to feel for the top of the plug. If the top of the plug is not 100 feet upwards from the shoe, a second cement application is required and shall be tested as above. After the plug at the shoe is successfully completed, a minimum 50 foot cement plug shall be set at the surface, after which the casing shall be cut off at least five (5) feet below the surface of the ground and a one-half-inch steel plate welded over the top. The location shall then be backfilled and leveled.

(4) If the protective or producing string of casing to be left in the well extends upwards from the shoe of the surface casing so as to prevent the above described method of abandonment, then then following procedure applies. A packer or cast iron cement retainer shall be set in the surface casing 50 feet above the top of any other casing within the surface casing and sufficient cement shall then be squeezed below the packer or retainer to theoretically extend to 100 feet below the shoe of the surface casing and fill that portion up to the packer or retainer with the cement. The packer or retainer will be left in the well. If cement cannot be pumped into the annulus, the well shall be cemented in accordance with Railroad Commission rules.

(5) When casing is to be shot or cut off and pulled, a blowout preventer equipped to completely blank off the well bore and close off around the casing to be pulled shall be installed and tested prior to shooting or cutting off the casing.

(6) Prior to cutting any casing, the annulus between the casing to be recovered and the surface string of casing will be tested to determine whether this annulus is dead or pressured. If it is pressured then no casing will be recovered until this pressure is released to zero and the annulus filled with mud laden fluid of sufficient density to maintain zero surface pressure.

(7) The well shall have a safety valve installed on the top of the casing string before any casing is shot or cut off. This safety valve shall not be removed until the first joint of casing is pulled and shall then be kept immediately at hand so that it may be, if needed, reinstalled.

(8) The well shall be completely filled at all times with mud laden fluid of sufficient density to prevent the entrance of formation fluids which would jeopardize well control during all casing and tubing operations. Periodic checks will be made of the mud fluid during displacing operations.

(9) The operator shall have a responsible representative at the well during the setting and tagging of cement plugs and during the casing pulling operations, to insure that the procedures outlined in the "Notice of Intent to Plug and Abandon" filed with the Railroad Commission are complied with and to insure that other provisions of this article are complied with.

(10) The Planning Director shall inspect all abandoned and plugged wells for compliance with these requirements. No operator's bond shall be released unless the Planning Director has issued a certificate of inspection.

(dd) **Development Requirements Pertaining to Land Near Existing Oil and Gas Wells and Related Storage Facilities**. No structure, including any public or private parking areas,

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shall be located within 200 feet from the vicinity of any existing wellhead or related facility used for the storage of oil, natural gas, or hydrocarbons. For all transmission lines of four (4) inches and greater in diameter, a 50 feet no build zone is required and shall be based on a 25 feet center line from the outermost edge of the transmission lines.

24.6.17 Residential Building Types

(a) **Generally**. These standards apply to any single-family attached dwelling, duplex, townhouse, zero-lot line house, live/work dwelling, boarding/rooming house, or senior living facility. These regulations supersede the base district regulations to the extent of any inconsistency.

(b) **Townhouse**.

(1) No side yard is required.

(2) A rear setback is not required when the townhouse lot abuts an alley or driveway having a minimum right-of-way width of twenty-four (24) feet which is used to provide ingress and egress to the townhouse development.

(3) Minimum lot width is 24 feet.

(4) A minimum of one hundred (100) square feet of contiguous open area shall be provided on each individual lot. The open area may be located in front or to the rear of the townhouse. On corner lots or where side yards are present, the one hundred (100) square feet of contiguous area may include the side yard as long as it is not separated by a fence from the remaining portion of the one hundred (100) square feet of space. The "contiguous open area" may consist of lawns, landscaped areas and/or walkways, but shall not include parking or driveways.

(5) The lot depth shall accommodate all require site elements including utilities, landscaping, and parking.

(6) A townhouse shall have a maximum of three (3) floors in any zoning district.

(c) **Zero Lot Line**. The following requirements supersede any zoning district setbacks to the extent of any inconsistency:

(1) A zero lot line may only be located on an interior side property line.

(2) The zero lot line for each lot shall be denoted on the subdivision plat.

(3) For zero lot line subdivisions, a minimum five-foot wide maintenance easement shall be provided through deed restrictions on the lot adjacent to the zero lot line. This easement shall be kept free of permanent obstructions such as tool sheds or fences without a gate. When filing an application for a building permit for a zero lot line development, the subdivider shall provide the city with two (2) copies of deed restrictions establishing the maintenance easements. One (1) copy of these deed restrictions shall be recorded by the applicant prior to issuance of the building permit. Along with the required building permit filing fees, an additional fee shall be provided by the subdivider to cover the recording costs of these deed restrictions. The following notation shall appear on the plat:

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"Five-Foot wide maintenance easements are established within the lots adjacent to all nonattached zero lot lines. Such easements shall extend for the depth of the lot and are included in the deed restrictions for all affected properties."

(4) Dwelling units shall be constructed on the zero lot line on one (1) side of the lot and a side setback shall be provided on the other side of the said lot subject to the following conditions:

a. The minimum width of the side setback opposite the zero lot line shall be ten (10) feet.

b. A zero setback shall not be permitted when the zero lot line abuts a non-zero lot line development, in which case, a minimum side setback of five (5) feet shall be required.

c. There shall be no openings in any exterior wall located upon or oriented towards the zero side yard of the subject property. Exception: an alcove or atrium with doors or windows may be recessed into the dwelling structure if such recessed area is separated from the zero side yard by means of a solid wall not less than eight (8) feet in height. Said wall shall be constructed of the same material as exterior walls of the unit.

(5) The zero-lot line for an existing legally permitted zero-lot line residence may be maintained on any addition to the residence, so long as the maintenance easement requirement indicated above is maintained.

(d) Live/Work Dwellings

(1) *Applicability*

a. This subsection applies to any live/work dwelling.

b. A live/work dwelling may occupy a building originally designed for industrial or commercial occupancy.

(2) *Uses.* A live-work dwelling shall include 1 dwelling unit, and any of the following non-residential uses (asterisk [*] means limited to 1,500 sf, and all non-residential uses are limited to 1,500 sf if that use is included):

a. Manufacturing, Artisan;

b. Office;

c. General Personal Services*;

d. Maintenance and Repair Services*;

e. General Retail*;

f. Personal Instructional Services and Display;

g. Clinic (Dental or Medical); or

h. Studio

(3) *Dwelling Units*. The total number of dwelling units on the subject property shall not exceed the maximum number of dwelling units permitted by the zoning district.

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(4) *Applicability of Parking or Amenity Space Standards*. The conversion to a Live/Work Dwelling of a building or part of a building that was originally designed for non-residential occupancy is not subject to the requirements for off-street parking or the amenity space requirements for new residential dwelling units contained in the applicable zoning district or districts and in Article 3.

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24.6.18 Restaurants

This section applies to any restaurant serving alcohol in a R-O zoning district.

(a) Establishments serving alcohol shall not locate within three hundred (300) feet of any of the following (measurement is made from the front door of the establishment serving alcohol to the nearest and in a direct line across intersections wherever they occur and consistent with measurement methodology per Texas Alcoholic Beverage Commission adoption):

- **(1)** property line (by shortest route) to the front door of the church, public school, entrance to the public park, front door of the residential structure or zoning district boundary church,
- **(2)** public school,
- **(3)** public park,
- **(4)** residential structure, or
- **(5)** residential zoning district.

(b) Property lighting shall screen to avoid adverse impact on adjacent residential neighborhoods.

(c) An opaque fence or wall greater than seven (7) feet in height is required along any side or rear property lines which abut or adjoin property containing a residential structure or residential zoning district. Apartment complexes, residential condominiums or residential townhomes are similarly screened irrespective of their zoning district location.

(d) Establishments must make provisions to minimize litter, and to keep it from blowing onto adjacent streets and properties.

(e) Signs shall comply with the City's Sign Ordinance and TABC rule or regulation.

(f) There shall be no ground vibrations created or sustained on the site which are perceptible without instruments at any point on any property adjoining the subject property.

(g) At all times the restaurant is open to the public for business, it shall continually maintain and serve food from its full service menu.

(h) The restaurant shall not exceed the "Occupant Load" established in the Certificate of Occupancy.

(i) The restaurant shall, during all hours of operation, maintain, free from obstruction or impediment to full instant use in the case of fire or other emergency, all exit accesses, exits or exit discharges.

(j) The restaurant shall undergo an annual Fire Inspection.

(k) All permits, licenses, certifications, and inspections required by the codes and ordinances of the City of Laredo shall be kept up to date and current including but not limited to:

- **(1)** Food Manager License (annual)
- **(2)** Food Handler's Permit (annual)

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(3) Certificate of Occupancy with Occupant Load. Occupant Load being the approved capacity of a building or portion thereof.

24.6.19 Retail

(a) All retail businesses, service or processing shall be conducted wholly within a completely enclosed building in the B-1, B-3, AE or CBD district, except:

(1) the sale of automotive fuel, lubricants and fluids for gasoline or diesel fuel sales, and

(2) the sale of goods associated with a plant nursery, or

(3) sidewalk cafes (Section 24.6.20), or

(4) sidewalk displays (Section 24.6.21), or

(5) as approved pursuant to a conditional use permit.

(b) **Production for Retail on Premises Only**. In the CBD districts, all products produced on the premises shall be primarily sold at retail on the premises where produced, except for the work of skilled craftsmen or artisans.

24.6.20 Sexually Oriented Businesses

See Chapter 18A of the Laredo Code.

24.6.21 Sidewalk Cafes

(a) **Applicability.** This section applies to sidewalk cafes. A restaurant owner must obtain a "Sidewalk Café License" from the Building Services Department to serve food or beverages to their patrons within the sidewalk adjoining their restaurant. It is unlawful for any person to place any furniture (including tables, chairs or any obstruction) within the public right-of-way (including sidewalks).

(b) **Sidewalk**

(1) A Sidewalk Café is allowed on a sidewalk with a minimum width of eight (8) feet from the building façade to the back of curb.

(2) A clear pedestrian path of at least four (4) feet is required, along with a pedestrian path of at least three (3) feet around obstructions such as trees and parking meters.

(3) No portion of the sidewalk shall be elevated in the style of a deck.

(c) **Location**

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(1) The Sidewalk Café must be directly in front of a restaurant in which food, prepared and cooked in the restaurant, is offered for sale and for immediate consumption.

(2) The area designated for the Sidewalk Café shall not block the restaurant entrance or other entrances, exits, or driveways.

(3) The Sidewalk Café's boundaries shall not enclose parking meters, fire hydrants or any other items that must remain accessible to the public or to the City for municipal purposes or emergency services.

(4) No portion of the Sidewalk Café Area may expand to include sidewalks fronting neighboring businesses, residences, or empty lots.

(d) Operations and Site Features

(1) Preparation, cooking, storage, cooling, or refrigeration of food or food service equipment is not allowed in the sidewalk.

(2) All areas surrounding the Sidewalk Café shall be kept in a clean and orderly condition. The restaurant owner shall insure that all wrappings, litter, debris, and food are promptly removed from the area and discarded in appropriate containers. Daily sanitary cleaning of the Sidewalk Café is required, and the sidewalks shall be washed down on a daily basis.

(3) Sidewalk dining tables and chairs shall be placed along the building façade and never along the curbside of the sidewalk.

(4) The arrangement and number of tables and chairs within the Café Area of the Sidewalk Café shall reflect the approved Site Plan and shall not be substantially changed, altered, added to or reduced unless approved by the Building Official pursuant to a Sidewalk Café License Amendment.

(5) Tables and chairs shall be set up and maintained in a manner ready for access and use by patrons during hours of operation of the restaurant,.

(6) The capacity of the Sidewalk Café shall not exceed the approved seating capacity number on the Sidewalk Café License. At no time may the Sidewalk Café be used more than the approved seating capacity to allow for standing room patrons.

(7) No more than one (1) table and two (2) chairs are allowed per 15 (fifteen) square feet. If space allows, the number of chairs may increase to four (4) per freestanding table if the required four (4) foot clear pedestrian path is maintained for compliance with ADA requirements and any other codes and local ordinances. The capacity of the Sidewalk Café equals one person per approved chair.

(8) Permanent structures in Sidewalk Cafés are prohibited. No furniture, umbrellas, or other sidewalk elements shall be attached permanently to the sidewalk or to any tree, post, sign, or other public fixture.

(9) Umbrellas and any type of temporary overhead structure shall not interfere with street lights, traffic lights, signage, overhead utility lines, trees or other overhead

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structure. These structures shall be located at least seven (7) feet above the sidewalk.

(10) Furniture and other sidewalk elements for Sidewalk Cafés except for approved planters shall be removed from the sidewalk at the close of each business day.

(11) Lighting shall conform to the Historic Urban Design Guidelines. Flashing lights, animated lights, chase lights, strobe lights, high intensity lights or spotlights are not allowed.

(e) **Enclosures.** Any enclosure (such as a railing, perimeter fencing, ropes, chains or the like) of the Café Area from the remainder of the public way is subject to the following criteria:

(1) Enclosures shall comply with the Sidewalk Café's Site Plan.

(2) The Sidewalk Café entrance shall not have an Enclosure and that entrance shall remain unobstructed.

(3) The Enclosure shall be at least 24 inches and no more than 36 inches in height.

(4) The Enclosure shall not collapse or fall over due to wind or incidental contact with patrons or pedestrians.

(5) The Enclosure shall be maintained in place during operating hours. No Enclosure may be stabilized by bolting, nailing, gluing or other permanently attachment it to the sidewalk.

(6) The Enclosure design must leave at least four (4) feet of clear and unobstructed Sidewalk space to allow for pedestrian passage.

(f) **Landscaping**. To promote the City of Laredo's objective of developing an attractive streetscape, the following standards apply to Sidewalk Cafés within the AE and CBD District:

(1) *Location and Size*, The location and size of self-supporting or floor planter boxes are determined during the Sidewalk Café License approval process or through a Sidewalk Café License Amendment. Planter boxes shall not extend over the permitted seating area.

(2) *Self-Supporting or Floor Planter Boxes.* Self-supporting or floor planter boxes:

a. May be used as temporary landscape features, and

b. May include small trees and shrubs, and

c. May be used to distinguish the corners of the Sidewalk Café boundary or placed on the curbside area immediately adjacent to the Sidewalk Café area, and

d. shall not extend (including the the box or plant material) into the required four (4) foot clear pedestrian path.

(3) *Attached Planter Boxes*. Up to 50% of the top of any enclosure may be covered with planter boxes. Planter boxes must be securely fastened to the fence or railing. No planter box shall extend into the required four (4) foot clear pedestrian path.

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(4) *Large Planters*. If large planters are approved, an exception may be made to allow planters to remain in place per an approved Site Plan.

(5) *Maintenance*

a. All planters and plant material shall be maintained throughout the entire time the Sidewalk Café or planters are present on the public right-of-way.

b. Dead, dying, or unhealthy material in any planter box shall be replaced with healthy material.

(g) Sidewalk Café License

(1) Applicability. This section applies to any application for a Sidewalk Café License or Sidewalk Café License Amendment. Sidewalk Café Licenses are only issued to restaurant owners with a valid food products establishment license pursuant to Chapter 13 of the Laredo Code.

(2) Initiation.

a. Sidewalk Café applications are submitted to the Building Services Department for administrative review. The Sidewalk Café application form is provided by the Building Service Department and shall require:

1. Name of restaurant, physical address of restaurant, name of owner of restaurant (hereinafter also referred to as "applicant"), address of the applicant, phone number of the restaurant and the phone number of the applicant.

2. Property owner name, address, and phone number if different from applicant. If the property owner is not the applicant, the application must include an affidavit from the property owner authorizing the applicant or other representative of the property owner to act on the property owner's behalf.

3. Copies of all relevant state and local permits and licenses (including health department permits/licenses, sales tax certificate, fire permits, certificate of occupancy, TABC licenses (if applicable) and current tax certificate showing City taxes are paid and up to date.).

4. A copy of the restaurant owner's current insurance certificate (general liability) which covers the café area naming the City of Laredo as an additional insured.

5. A Site Plan drawn to scale (1/8"=1'-0"), preferably on 8 ½ x 11 inch paper; and that includes:

a. A north arrow;

b. Property line location;

c. The sidewalk layout and dimensions from street corner to street corner, the layout of the area to be used for the Sidewalk Café (sidewalk café area or café area) and

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adjacent private properties, to include the sidewalk width remaining for clear path of travel;

d. The size and dimensions of each item of furniture and planter boxes, the number of tables, chairs, umbrellas, trash receptacles, planter boxes and Enclosures or other items used to delineate the area used for the Sidewalk Café;

e. Location of doorways, fire hydrants, parking meters, bus shelters, sidewalk benches, trees, and any other fixture, structure, or obstruction existing within the area used for the Sidewalk Café.

6. Photographs attached to the site plan which:

a. Are clear and accurate representations of the site,

b. Depict the entrance to the restaurant.

c. Depict the proposed site location for the Sidewalk Café and the proposed Sidewalk Café's relationship to the surrounding public right-of-way, and

d. Depict each proposed furniture and outdoor items (planter boxes /trash receptacle /umbrellas, Enclosures, etc.).

b. *Fees.*

1. The fee for a Sidewalk Café License is $50 for the first year and $100 for each subsequent year.

2. A Sidewalk Café License may be transferred to a new owner of the restaurant for a $25 fee.

3. The fee for review and approval of a Sidewalk Café shall be prorated as of the date of issuance of the license (for example, the fee for a license issued on March 1 of any given year is calculated by dividing the license fee by 12 months multiplied by the number of months remaining until the date of expiration of the license (December 31)).

(3) *Completeness*. See Section 24.5.3(b). The Building Services Department will review the application for completeness in lieu of the Director.

(4) *Notice*. The applicant shall provide written notice to each property owner and tenant on each side of the restaurant and directly across the street from the restaurant of a Sidewalk Café License application. During the review process the applicant shall submit copies of the notice given to each abutting landowner and tenant of the restaurant owner's Sidewalk Café application.

(5) *Decision*. If all the criteria of this Section are met, the Building Office shall approve and issue a Sidewalk Café License.

(6) *Approval Criteria*. The application shall comply with all applicable requirements of this section.

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(7) *Appeals*

a. The authority to grant the use of the right-of-way in the AE and CBD Districts for a private purpose is a non-delegable function of the City Council and the limitations are established in this UDC. The City has a compelling state interest in the regulation of public rights-of-way and therefore, there shall be no waiver or variance to any of the provisions of this Section.

b. An Applicant whose Sidewalk Café License application has been denied may petition, in writing, the Building Official to reconsider the basis for their denial of a Sidewalk Café License within fifteen (15) calendar days of the Applicants notice of denial of a Sidewalk Café License.

c. Failure to submit a timely written petition for reconsideration shall be deemed to be a waiver of any further right to administrative reconsideration or review of the denial.

d. In its petition, the Applicant must indicate the provisions of the denial objected to, the reasons for the objection(s), any facts that are contested, the evidence that supports the Applicant's view of the facts, any alternative terms that the Applicant would accept.

e. Within thirty (30) calendar days a reconsideration petition submittal, the Building Official shall review the petition, and shall either:

1. grant the petition;

2. deny the petition; or

3. grant the petition in part and deny it in part.

f. Any Applicant whose reconsideration petition by the Building Official has not been granted in its entirety and who remains adversely affected by the Building Official's decision, may appeal the decision to the City Council by filing a written appeal with the City Manager, specifying the reasons, within fifteen (15) days of the time the decision is issued. City Council hears the matter within sixty (60) days.

(8) *Scope of Approval*

a. The Sidewalk Café Enclosure, furniture and planter boxes may be placed on the public right- of-way once the Sidewalk Café License is issued, and shall be removed on the expiration of the License. Any operating Sidewalk Café continuing to keep the Enclosure or furniture on the public way when it is closed for business or after its License has expired, are subject to citation and the Enclosure, furniture, planter boxes or other equipment may be removed by the City.

b. Each Sidewalk Café License issued shall contain:

1. the name of the holder of the license (restaurant owner),

2. the address of the restaurant engaged in the Sidewalk Café,

3. the telephone number of the restaurant,

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4. the number of tables and chairs allowed in the Café Area,

5. the capacity of the Café Area, whether the Café Area has an Enclosure and,

6. a copy of the approved Site Plan.

c. Every Sidewalk Café License expires one year after it is issued.

(9) *Record keeping*. The Sidewalk Café License shall be conspicuously displayed on the exterior wall or window of the main entrance of the Sidewalk Café during all hours of operation. The Café Area of the Sidewalk Café shall not be modified or altered unless approved by the Building Official by a Sidewalk Café License Amendment.

(h) Enforcement

(1) The Building Official shall suspend a Sidewalk Café License upon the issuance of any citation for the violation of any of the provisions of this Section until the violation is remedied or the Building Official or the Municipal Court makes a finding that there was no violation.

(2) The Building Official shall revoke the Sidewalk Café License upon a guilty finding or plea of guilty or no contest by the Municipal Court during any license year of three or more violations of any of the provisions of this Section.

(3) A Sidewalk Café License shall not be issued for the remainder of any license year nor the next license year to any restaurant owner who is found by the Municipal Court to have violated the provisions of this section more than six (6) times during a license year (habitual violator).

24.6.22 Sidewalk Displays

(a) Generally. Sidewalk displays within the AE and CBD Zoning Districts are defined as a use located on a public sidewalk, within a public right-of-way or easement that is associated with a retail use and consists of available displayed goods for public purchase. A business may display or sell its regularly stocked items directly in front of the business during any hours the business is open to the public without a license, as per City of Laredo Code of Ordinances, Chapter 28, Article V, Section 28-101(b.) . The minimum parking requirements (section 24.3.7) of this Chapter are waived if the conditions of this Section are met.

(b) Sidewalk Path. A clear path of at least 4 feet of sidewalk running parallel to and fronting the business shall remain free and clear of any obstructions to accommodate pedestrian traffic however, all American with Disabilities Act (ADA), Fire Code, and Health and Safety Code requirements shall remain in effect. If there is a conflict with any of the provisions of this Section the more restrictive provision applies.

(c) Placement of Goods. All goods for sale (merchandise) must be placed on display tables, racks, or alternative modes of display. Alternative modes of display are approved by the Building Official if the alternative display is sturdy and covered or skirted with cloth from the floor/ground to the display surface. Merchandise shall not be placed directly

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upon the ground. If located in an Historic District, all display tables, racks, and alternative modes of display must conform to the Historic Urban Design Guidelines.

(d) **Special events**. Special event sales are allowable by permit from the City and legally permitted in accordance with Chapter 28, Article V, Section 28-107)Vending Under Special Event Vendor's Permit) of the City of Laredo Code of Ordinances. The Historic Urban Design Guidelines regarding display of items for sale shall also apply.

24.6.23 Signs

Purpose. *This Section provides standards for all private signs. These standards are intended to be the minimum necessary and least burdensome to accomplish the purposes stated in this section. The general objectives of these standards are to promote health, safety, welfare, convenience, consistent enforcement, and enjoyment of the public, while ensuring equal treatment to:*

- ***Safety****. Promote the safety of persons and property by providing that signs not create a hazard due to collapse, fire collision, decay or abandonment, not obstruct firefighting or police surveillance, and not create traffic hazards; not confuse or distract motorists by impairing the driver's ability to read traffic signs, pedestrians, obstacles, or other vehicles.*
- ***Communications efficiency****. Promote the efficient transfer of information in sign messages, not arbitrarily denying the use of the sight lines from the public rights-of-way, and avoiding clutter so that persons exposed to signs are not overwhelmed by the number of messages presented, and are able to exercise freedom of choice to observe or ignore messages according to the observer's purpose.*
- ***Landscape quality and preservation****. Protect the public welfare and to enhance the appearance and economic value of the cityscape, by providing that signs not interfere with scenic views, not create a nuisance to persons using the public rights-of-way, not create a nuisance to adjacent and contiguous property, and not pose a detriment to land or property values.*

(a) **Applicability.**

(1) *Generally.* This Section applies to private signs in the City of Laredo. The requirements and regulations of this Section apply in the city and its ETJ. All signs must also conform to other requirements and regulations as mentioned in this Section, including compliance with square footage allotment in subsection (g) of this Section.

(2) *Signs Regulated***.** All new signs and sign structures, unless exempt, shall comply with this Section. However, all signs and sign structures existing prior to the adoption of this ordinance must comply with the following provisions of this Section.

a. Illegal signs (subsection (b)).

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b. Non-conforming signs (subsection (s)).

c. Encroachments within public right-of-way (subsection (m)(1)).

d. Existing sign encroachment (subsection (m)(2)).

e. Removal of encroachment constituting obstructions (subsection (m)(3)).

f. Unsafe signs declared nuisance; abatement (subsection (q)(3)).

(3) *Exemptions*. This Section does not regulate:

a. building design;

b. official traffic or government signs;

c. the copy or message of signs;

d. signs not intended to be viewed from a public right-of-away;

e. window displays;

f. flags;

g. gravestones;

h. plaques;

i. the display of street numbers; or

j. any display not defined as a sign.

(4) **Signs Permits.**

a. Subsection (g) indicates whether a sign requires a permit:

b. The following types of signs are exempt from permit requirements, but must comply with all regulations of this section:

1. Signs erected by a government agency in the public right-of-way or public property;

2. Signs or lettering on governmental buses and shelters, public/private school buses, taxis, or any vehicles operating during the normal course of business. This does not apply to portable or vehicle signs or other signs which are parked or located for the primary purpose of displaying the sign;

3. Plaques;

4. Attached signs less than three (3) square feet;

5. Incidental signs;

6. Temporary private signs;

7. Flags.

(5) First Amendment Rights.

a. This section shall not be interpreted, nor enforced, in any manner to violate First Amendment Rights.

b. Any sign allowed under this section may contain, in lieu of any other copy, any otherwise lawful message if that sign otherwise complies with all other provisions of this Section.

(b) **Illegal Signs.** The following signs are prohibited:

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(1) *Violations.* Signs that violate any provision of this section, unless a variance or waiver is lawfully granted or to the extent that the Planning Director determines that the applicable provision violates state or federal law.

(2) *Abandoned signs*.

(3) *Fence signs in or adjacent to and facing residential zoning districts*. Any sign painted on a fence, railing or wall which is not a structural part of the building on property located in or adjacent to, and facing a residential zoning district, whether or not on the property line.

(4) *Portable and vehicle signs*. No person shall display any sign attached to a vehicle, trailer, skid, or similar mobile structure, where the primary use of that structure is to provide a base or constitute the sign itself. No person shall park any vehicles with a vehicle sign in the same location or vicinity at frequent or extended periods of time, where the apparent intent as determined by the city is to use the vehicle and attached vehicle as signs. It is prima facie evidence that a vehicle is used as a sign if the vehicle is parked at the same location in an area visible to a public right-of-way for a continuous period exceeding seventy-two (72) hours.

(5) *Sidewalk*. Any sign, attached or painted on any sidewalk, curb, gutter or street.

(6) *Signs constituting a traffic hazard*. Any sign:

a. erected or maintained in any visibility triangle, or in such other location that obstructs free and clear vision of vehicular traffic of adjacent streets, roadways, sidewalks, other public rights-of-way, or any authorized traffic sign, signal or device, or

b. which, by reason of position, shape, color, degree, manner or intensity of illumination, interferes with vehicular or pedestrian traffic, or

c. which contains copy that would mislead or confuse traffic.

(7) *Signs in or over right-of-way*. Any sign located, in whole or in part, in or over any public right-of-way.

(8) *Sign on tree, pole, snipe signs etc*. Any sign attached to or painted upon any tree or public utility pole or structure other than the owner of the tree, utility pole or structure.

(9) *Signs omitted from section or lacking permit*. Any sign which is not expressly permitted by this Section or any sign which requires a permit for which no permit is obtained.

(c) Measurement of sign area and height.

(1) *All signs*. For signs in the shape of a square, rectangle, circle, or similar standard geometric shape, the area shall be calculated by using the standard mathematical formula (i.e., [square equals] height multiplied by width, [circle equals] 3.14 multiplied by radius squared, etc.), the dimensions of which shall be determined by enclosing the extreme outermost limits of the sign copy utilized. The square footage of a sign, made up of letters, words or symbols within a frame or on a banner shall be determined from the outside edge of the frame or banner itself.

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Double faced signs are calculated as the area of one side only. Three (3) dimensional or multifaceted signs are calculated as the maximum area visible from any single direction at any point in time.

(2) *Wall signs with multiple elements*

a. Regardless of the spacing between letters, letters forming a word or name are considered a single sign.

b. When two (2) or more separate items in a sign, such as a word or logo, are separated horizontally or vertically by less than the width or height of the largest item, the items are considered a single sign and the area is determined by measuring the area enclosing the sign elements with straight, intersecting lines.

c. When two (2) or more separate items in a sign, such as a word or logo, are separated horizontally or vertically by more than the width or height of the largest item, the items are considered a separate sign and the area of each item is determined individually.

(3) *Structural supports*. Structural supports bearing no sign copy are not included in sign area if they are not constructed in an irregular manner that draws attention to the sign copy. Structural supports are included in the measurement of the height of a sign.

(4) *Height*. The height of all signs is measured from the top edge of the sign and/or support structure to the average finished grade below the sign and/or support structure, unless otherwise noted in this Section. If a sign is located on a mount, berm, or other raised area for the sole purpose of increasing the height of the sign, the height of the mound, berm, or other raised area is included in the height of the sign where it exceeds three (3) feet. Sign height is measured from the curb grade at the property line. Any freestanding signs directly adjacent to an elevated section of a freeway, expressway, arterial, or collector and within 100 feet of the freeway, expressway, arterial or collector increases the maximum allowable vertical height by one (1) foot for each foot of roadway elevation.

(d) Sign Specifications, Design and Other Requirements. These requirements and standards apply to all signs located in the city of Laredo.

(1) *Compliance with other codes and ordinances*. If any portion of this Section is found to conflict with any other provision of any zoning, building, fire, safety or health ordinances adopted by the city, the provision which establishes the higher standard applies. All signs shall meet the standards of the adopted city building codes.

(2) *Visibility*. All signs shall observe all visibility requirements. Signs shall not be placed within visibility/site triangles, corner clips, easements as defined in the city's thoroughfare plan, engineering department standard design guide and the traffic department access management policy as they currently exists or as amended. Signs with flashing, intermittent or moving lights are prohibited within fifty (50) feet of an intersection.

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(3) *Identification marking required*. All signs that require the issuance of a permit after adoption of this Section shall have attached, written, or painted in a weatherproof manner and in a conspicuous place, the name and telephone number of the licensee who erected the sign.

(4) *Assumed wind load for design* Structural members in signs must withstand one hundred five (105) MPH, three (3) second wind gusts, or as found in the latest adopted International Building Code. All signs must be certified by a structural engineer, authorized and licensed to do business in the state of Texas.

(5) *Illumination*.[4]

a. Signs that are illuminated shall be designed so that any external illumination is shielded and no direct light is cast into residential areas or public streets.

b. External lighting devices are permitted if they do not extend more than eight (8) feet beyond the sign structure and are attached so that illumination is directed upon the face of the sign and does not reflect directly into adjoining property or public streets.

c. Signs shall not be illuminated to an intensity to cause glare or brightness to a degree that could constitute a hazard or nuisance.

d. No signs shall blink, flash or include animation by lighting, in any fashion that would cause them to have the appearance of traffic safety signs and lights, or municipal vehicle warnings, from a distance.

e. No sign, other than a permitted animated sign or an electronic message display shall be illuminated, in whole or part, where the illumination is intermittent or varies in color or intensity from time to time.

f. Searchlights are prohibited.

g. Unless otherwise noted, all lighting of signs shall be indirect or internally illuminated lighting as defined herein, and all floodlights shall be shielded.

h. Artificial lighting of any type used to illuminate buildings, structures, outdoor sales areas or outdoor storage areas shall be shielded.

i. Glare producing surfaces on signs are not allowed.

j. Lights which are part of or illuminate a sign must be shielded, directed and positioned to prevent beams or rays of light from being directed at any portion of the travel ways of a city roadway or any adjacent residential use.

k. Lights may not be of such intensity or brilliance as to cause vision impairment of a driver of any motor vehicle on a city roadway or otherwise interfere with the driver's operation of a motor vehicle and

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may not obscure or interfere with the effectiveness of an official traffic sign device or signal.

l. Naturally energized or electronically energized (including flashing or illusionary movement) signs are prohibited.

(6) *Multiple signs on a property or building*. The permitting of a sign on a property or building does not preclude the permitting of other types of signs on a property or building, unless the signs are expressly prohibited, or additional signs will exceed allowable square footage per sign type. However, if a freestanding multi-tenant sign or attached multi-tenant sign is used, another freestanding sign is allowed only on another platted lot within the development. Only one (1) freestanding sign is allowed per property per street frontage.

[Note: For state standards, see V.T.C.A. Health and Safety Code, § 361.321-322 and the rural road sign control provisions of V.T.C.A. Transportation Code, § 394.002 et. seq.]

(7) *Obstruction to doors, windows or fire escapes*. Signs shall not prevent free ingress to or egress from any door, window fire escape or other area intended for human travel, or attach to a stand pipe or fire escape. No sign shall block, interfere, or otherwise hinder pedestrian or vehicular traffic on a public sidewalk, a public thoroughfare, a fire lane easement or a driveway required to access parking.

(8) *Odor, sound or visible matter emitting signs*. No sign shall emit sound, odor, or visible matter to cause a distraction to persons within a public right-of-way.

(e) Neglected and Abandoned Signs.

(1) *Neglected signs*. Pursuant to the Texas Health and Safety Code, Chapter 342, as amended, a sign that is dilapidate, deteriorated, unsafe, unsecured, and/or is a hazard to the health or safety of the public or is abandoned, is hereby declared a nuisance. The nuisance may be abated by repair rehabilitation, demolition, or removal in accordance with these procedures as provided by law.

(2) *Notification*

a. Upon written notification by the building official, the owner, agent or person having beneficial use of the land, building or structure upon which the sign is located shall remove any abandoned sign from the property and repair or remove an neglected signs. These actions shall be completed within ten (10) days after written notification is received. The notification shall further state that if the sign is not removed or repaired, a citation may be issued and the city may resort to any civil remedy available to remove or repair the sign-up to and including impoundment.

b. If any sign is determined to present an immediate danger to public health, safety or welfare, the city shall remove it immediately. Within ten (10) days of the removal of the sign, the building official shall notify the owner of the property on which the sign was located of the reasons for the removal of the sign.

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(3) *Compliance*. It is unlawful for any person, firm, entity or corporation receiving written notification to fail to comply with the direction of the notice. In the event of failure to comply with the notice provided under this Section, the building official may cause the removal and impoundment of the sign. Any associated expenses are the responsibility of the owner, agent, or person having beneficial use of the land, building, or structure upon which the sign was located.

(f) Special Event Signs

(1) *Applicability*. This subsection applies to special events. Special events are generally defined as a festivals, fairs, tournaments, or similar happenings.

(2) *Site Plan*. Banners, stake signs, inflatable device signs, or other apparatuses may not be erected at a special event until the building official approves a site plan. The site plan shall illustrate the location of banners, stake signs, inflatable device signs, or other apparatus used for a special event.

(3) *Timing*. Signs located at the site of a special event shall be erected no earlier than seven (7) days prior to the event and removed no later than twenty-four (24) hours after the conclusion of the event.

(4) *Certificate required*. A temporary sign certificate is required for a temporary special sign event. The certificate allows the holder to display temporary event signs on the lot where the event is to occur. The certificate is valid for up to 10 days. The certificate can be issued for up to four (4) times in one (1) calendar year.

(g) Permitted Sign Dimensions – Dimensional Tables. Sign dimensions are limited to the specifications set out below:

(1) *Permitted sign dimensions – Freestanding*

Table 6.22-1 Permitted Sign Dimensions – Freestanding Signs

Sign Type	Permit?	AG	R-S, R-1	R-1A	R-1B	R-O	B-1, B-3	CBD	B-4	M-1	M-2
Area (*max-sf*)											
In general, unless noted below	Y	72	12	12	12	30	40	72	200	200	200
Changeable Copy	Y	15	6[n]	6[n]	6[n]	6	32	32	32	32	32
Incidental	N	4	4	4	4	4	8[b]	8[b]	8[b]	32[b]	32[b]
Electronic Message Display	Y	72	72[n]	72[n]	72[n]	72	40	100	150	150	150
CEVMS	Y	72	72[n]	72[n]	72[n]	72	40	CUP	200[a]	200[a]	200[a]
Multi-Tenant	Y	100	--	--	--	40	100	150	400	500	500
Height & Setback (*ft*)											
Height (*max*)		50	5	5	5	8	15	15	50	50	50
Setback (*min*)		10	5	5	5	5	5	2	10	10	10

Legend:

Y Permit required

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a 100 square feet for the first 50 feet of frontage plus one (1) foot per linear foot of lot frontage up to a maximum of 200 square feet.
b Per driveway curb cut.
(blank cell) not permitted in this zoning district.
n Permitted only for non-residential uses in the district.

(2) Permitted sign dimensions – Attached

Table 6.22-2 Permitted Sign Dimensions – Attached Signs

	Permit?	AG	R-S, R-1	R-1A	R-1B	R-O	B-1, B-3	CBD	B-4	M-1	M-2	Time Limit (Days)
Area (*max-sf*)												
In general, unless noted below	Y	72	12[n]	12[n]	12[n]	40	60	100[a]	200[a]	350[a]	350[a]	none
Awning	Y	72				30	40	72	100	100	100	none
Canopy	Y	50	12[n]	12[n]	12[n]	30	40	72	100	100	100	none
Changeable Copy	Y	15	6[n]	6[n]		6	32	32	32	32	32	none
Incidental (cumulative area)	N	36	12	12	12	12	12	12	12	12	12	none
Electronic Message Display	Y		12[n]	12[n]	12[n]		60	150	200	200	200	none
CEVMS	Y		12[n]	12[n]	12[n]		60	60	150	200	200	none
Projecting	Y							80				none
Roof	Y							100				none
Multi-Tenant	Y	100				40	100	150	400	500	500	none
Beacon	Y	∞					∞	∞	∞	∞	∞	30/year
Banner	Y	72				40	50	100	200	300	300	none
Projections								3				
Height (*max-ft*)												
Pull down banner	Y						8		8	8	8	100 days / twice a year

Legend:

Y Permit required
a Maximum of 5% of the total wall area facing a public or private street—whichever is greater.
∞ No limit
(blank cell) not permitted in this zoning district.
n Permitted only for non-residential uses in the district.

(3) Permitted sign dimensions – Historic - Freestanding

Table 6.22-3 Permitted Sign Dimensions – Historic Freestanding Signs

Sign Type	Permit	AG	R-S, R-1	R-1A	R-1B	R-O	B-1, B-3	CBD	B-4	M-1	M-2
Area (*max-sf*)											
In general, unless noted below	Y	72	12	12	12	40	60	72[a]	200[a]	300	300

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Sign Type	Permit	AG	R-S, R-1	R-1A	R-1B	R-O	B-1, B-3	CBD	B-4	M-1	M-2
Changeable Copy	Y							32	32		
Incidental	N	12	12	12	12	12	12	12	12	12	12
Electronic Message Display											
CEVMS	Y	72	72[n]	72[n]	72[n]	72	40	CUP	200[a]	200[a]	200[a]
Monument	Y	60	12	12	12	12	50	60	90	90	90
Projecting	Y							30			
Multi-Tenant	Y	100	--	--	--	40	100	150	400	500	500
Height & Setback (*ft*)											
Height (*max*)		50	5	5	5	8	15	15	50	50	50
Setback (*min*)		10	5	5	5	5		2	10	10	10

Legend:

Y Permit required
a Maximum of 3% of the total wall area fronting a public or private street—whichever is greater.
b Per driveway curb cut.
(blank cell) not permitted in this zoning district.
n Permitted only for non-residential uses in the district.

(4) Permitted sign dimensions – Historic – Attached.

Table 6.22-4 Permitted Sign Dimensions – Historic Attached Signs

Sign Type	Permit?	AG	R-S, R-1	R-1A	R-1B	R-O	B-1,B-3	CBD	B-4	M-1	M-2	Time Limit (Days)
Area (*max-sf*)												
In general, unless noted below	Y	72	12[n]	12[n]	12[n]	40	60	72[a]	200[a]	300	300	none
Awning	Y	72				30	40	50	100	100	100	none
Canopy	Y	50	12[n]	12[n]	12[n]	30	40	50	100	100	100	none
Changeable Copy	Y							32	32			none
Incidental (cumulative area)	N	36	12	12	12	12	12	12	12	12	12	none
Electronic Message Display												
CEVMS												
Projecting	Y							30				none
Roof												
Multi-Tenant	Y	90					90	140	300	300	300	none
Beacon												
Banner	Y	72					50	100	200	300	300	100 days twice a year
Projections	Y							3				none
Window	Y	b					b	b	b	b	b	none
Setback (*min-ft*)												

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Sign Type	Permit?	AG	R-S, R-1	R-1A	R-1B	R-O	B-1,B-3	CBD	B-4	M-1	M-2	Time Limit (Days)
Any sign (*min-ft*)		10	5	5	5	5	5	0	10	10	10	100 days / twice a year

Legend:

Y	Permit required
a	Maximum or not more than three (3) percent of the total wall area fronting a public or private street—whichever is greater.
b	8 sf or 20% of the window on which the sign is to be placed, whichever is less.
	(blank cell) not permitted in this zoning district.
n	Permitted only for non-residential uses in the district.
Note	Signs projecting over the sidewalk within CBD shall have a minimum clearance of 8 ft.

(5) Miscellaneous Signs

Table 6.22-5 Permitted Sign Dimensions – Miscellaneous Signs

Permit Required	Sign Type	Area (max-sf) AG, R-S, R-1, R-1A Districts	Area (max-sf) Non-Residential Uses in AG,R-S, R-1, R-1A	Area (max-sf) All Other Districts	Height (ft)
Y	Incidental Signs (including feather banners) (cumulative area for all signs)	65	300	300	15
Y	Monument Sign (Individual)		130	130	16
Y	Subdivision Entrance Sign	64	64	64	n/a
Y	Under Awning Sign	4	4	4	n/a

Legend:

n/a	not applicable
	(blank cell) not permitted in this zoning district.

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(h) Billboards

(1) *Permitted Dimensions.* Billboard dimensions shall comply with Table 6.22-6, below.

(2) *Certificate of nonconformance*. The company displaying the billboard shall apply for a certificate of nonconformance providing ownership, size, height, year built, emergency contact, within 18 months of adoption of this Section.

(3) *Relocation*. If a billboard is condemned by eminent domain authority of the City of Laredo or State of Texas within the city limits, the billboard owner may apply for a sign permit to relocate the billboard to the remaining tract or an adjacent tract if the new location meets the following conditions:

a. A new sign permit application is approved and the proposed sign structure meets the current requirements of this section;

b. The proposed location meets the current zoning, height and setback requirements for billboards;

c. The proposed location is at least 500 feet from another billboard as measured along the corridor;

d. If the sign was a legal non-conforming sign, the degree of non-conformity is not increased.

(4) *Additional Height for Visibility.* A billboard that is obstructed due to roadway construction (including overpasses, noise barrier walls, or grade changes of roadways) may be reconstructed to a height clearly visible from the roadway grade consistent with the then-current clearance restrictions.

(5) *Abandonment*. The nonconforming billboard is considered abandoned if the sign does not display a message for 120 consecutive days.

(6) *Permits on state regulated highways*. If an application for billboard is submitted on property abutting a state regulated highway as defined by the Highway Beautification Program or Rural Roads Act, a sign permit is required to apply for a permit with the State of Texas. The Planning Director will not issue a sign permit for a billboard until the license is validly issued by the State of Texas. If the property is not platted in conformance with this Chapter, an approved application will serve as authorization for a specified location. However, the platting process must be initiated for the specific location and must be completed prior to the issuance of a sign permit. If the work authorized by a sign permit issued under this section does not commence within 365 days after the date of issuance, the permit becomes null and void.

(7) *Relocation Permit Issued by State of Texas*. If a property owner secures a relocation permit from the Texas Department of Transportation to relocate a billboard, the applicant may approve for a sign permit for the proposed location.

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Table 6.22-6 Permitted Sign Dimensions – Billboards

Roadway Classification	**Districts**				
Sign Area (*max-sf*)	**B-1, B-3**	**CBD, AE**	**B-4**	**M-1**	**M-2**
Freeway (1, 4, 6)		672	672	672	672
Expressway (2, 4, 6)		672	672	672	672
Industrial Collector (3, 5, 6)	72•		242	382	382
Major Arterial (3, 5, 6)	72•		242	382	382
Modified Major Arterial (3, 5, 6)	72•		242	382	382
Setback From Property Line (*min-ft*)		10	10	10	10
Illumination Allowed		Y	Y	Y	Y
Spacing for Digital Signs (*min-ft*) (6)	1,500	1,500	1,500	1,500	1,500
Allowance For Cut-Outs (*max-as percentage of sign face*)		20	20	20	20
Distance from Sign Face for Projecting Signs (*max-inches*)		42	42	42	42

Legend:

1. Minimum spacing between billboards: 1,500 feet as measured *along* corridor.
2. Minimum spacing between billboards:
   A. 1,000 feet measured along the corridor
   B. 250 radial feet measured from sign pole to sign pole (intersecting roadway)
3. Minimum spacing between billboards:
   A. 1,000 feet measured along *and across* the corridor
   B. 250 radial feet measured from sign pole to sign pole (intersecting roadway)
4. Maximum clearance. 35 feet from highway grade; 50 feet at overpass.
5. Maximum clearance 35 feet from street grade, 72 square foot signs on major arterials: 12 feet at overpasses.
6. Spacing is measured along and/or across (radial) from another digital sign *facing the same direction* .

- Dimensions applicable to replacement and relocated signs only. No additional signs are authorized in B-1 or B-3.

(i) Construction and Maintenance

(1) All signs shall be constructed and maintained in accordance with the requirements of International Building Code, and the National Electric Code as adopted by the city of Laredo.

(2) Except for temporary signs and sidewalk signs conforming in all respects with the requirements of this Section, all signs shall be constructed of permanent materials and shall be attached to the ground, a building, or another structure by direct attachment to a wall, frame or structure.

(3) All pole signs (i.e., freestanding signs) shall be enclosed by material designed to prevent rust. Sign should appear as a solid mass or base, such as a cylinder, block, rectangle or square. Poles shall be covered from undisturbed natural ground level to the highest portion of the sign.

(4) All signs shall be properly maintained. Exposed surfaces shall be clean and painted if paint is required. Defective parts shall be replaced. The Planning Director may order the repair or removal of any sign which is defective, damaged, or substantially deteriorated as defined in the building code. A permit is not required for routine maintenance.

(j) Overlay Districts

(1) *Generally***.** Architectural, historic, or scenic areas as defined by this Chapter may include requirements for signs subject to the provisions included in this Section. The overlay districts may include more or less restrictive standards for billboards. In the event of a conflict between a specific overlay district requirement and other provisions of this Section, the most restrictive applies.

(2) *Historic Districts.* For the purpose of establishing, enhancing, preserving and developing the historical character and quality of the historic districts, no sign shall be erected, altered, restored, or moved within that district until an application is submitted to and approved by the historic district/landmark board.

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No sign shall obstruct any architectural feature which is of importance to the property's historical quality or character as determined by the historic district/landmark board.

(k) Signs Permitted in residential zoning districts. Signs are allowed as follows in residential zoning districts. [5]

(1) Up to two (2) subdivision entrance signs or per entrance to an apartment or condominium complex. The total surface area of the two (2) signs shall not exceed 64 square feet.

(2) Signs located on kiosks shall not exceed thirty-two (32) square feet around the perimeter of kiosk and must comply with the sign restrictions on intersections.

(3) Temporary signs, including banners, shall not exceed 12 square feet and may be used for up to 120 cumulative days in a calendar year. Those signs require permits and must be installed in accordance with building and electrical codes.

(l) Signs Permitted in All Other Zones.

(1) Where a premise is on a corner, or has more than one (1) street frontage, one additional freestanding sign or an electronic/color video display is allowed on each additional frontage. These signs shall not exceed the allowed square footage on the primary street frontage.

(2) Projecting signs:

a. Are permitted on any wall;

b. Shall not exceed the square footage allowed for the wall area;

c. shall not project beyond the property line; and

d. shall maintain a clearance of 8 feet over pedestrian areas and 14 feet over vehicular ways.

(3) Roof signs shall be constructed to conceal all structure and fastenings. Application must include load calculations for roof support from a state of Texas licensed engineer. The height of the roof sign shall not exceed 20% of the total height of the building of which it is attached.

(4) One (1) under canopy sign for each separate occupancy, or separate entrance, shall not exceed 8 square feet in sign area. Under canopy signs must have a minimum clearance of 8 feet.

(5) Signs attached to kiosks shall not exceed 500 square feet around the kiosk, and must comply with the sign restrictions in intersections.

(6) One monument sign per street egress and ingress shall not exceed 50 square feet or 10 feet tall, and must comply with the sign restrictions on intersections.

(7) Bench signs shall not exceed 6 square feet.

(m) Encroachment

(1) *Public Right-of-Way or Easements*

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a. No person or legal entity shall display a sign upon any public property, or within the right-of-way of a public use easement except signs installed by an authorized government agency, or as provided for in this Section.

b. No sign with a clearance of less than 16 feet shall project into a public right-of-way.

c. The Building Official may authorize, under specific guidelines published by the Building Division, temporary signs which encroach into the public right-of-way. Temporary cloth signs which extend over a public street shall have a clearance of 16 feet.

(2) *Existing Sign Encroachments*

a. *Requirements*. The owner of any existing sign which encroaches into the public right-of-way shall apply for and execute an encroachment agreement with the city and furnish public liability insurance coverage with a minimum of one million dollars ($1,000,000.00) within three (3) months from the effective date of this Section. Any encroaching sign that is not subject to a valid encroachment agreement within the time stated above is an illegal sign and subject to removal at any time.

b. *Inspection*. Encroaching signs are subject to an annual inspection by a Texas licensed electrical sign company who shall inspect the sign, certify compliance with this section, and apply for an annual renewal license.

(3) *Signs in any Easement*.

a. No part of a sign shall encroach into any easement (utility, drainage, etc.), unless the property owner demonstrates to the city engineer and/or franchise utility company that there is no other viable location for a sign other than a utility easement.

b. An encroachment requires written approval from the city engineer and franchise utility company, and the property owner shall provide a letter to the city releasing the city of any liability for repair or replacement of a sign damaged by work occurring within the utility easement.

(4) *Removal of Encroachment Constituting Obstruction*. Any sign encroachment that does not meet the requirements of this code or the building code is an obstruction into that right-of-way. The building official shall notify in writing the record owner of that sign, or record owner of that property, upon which that sign is located to correct the violation or to remove the obstruction within 30 days. If that time period expires and the violation is not corrected, the city may abate the obstruction and affix a lien against the property for the cost involved.

(n) Sign Permits

(1) *Applicability*

a. *Sign permit or authorization required*. No sign, other than those signs allowed without a permit by this Section, shall be erected, placed,

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attached, secured, altered or displayed to/on the ground of any building or any structure until the building official issues a sign permit. An application for a sign permit or authorization may be obtained from the city's building development services department.

b. *Permits Required for Alteration*. Except as provided, no person or business firm, acting either as principal or agent, shall alter, change the face, lettering, or by any other means, re-face any sign (except for signs with temporary messages made from interchangeable characters attached to tracks or grooves on the sign board, electronic message display or changeable electronic variable message sign), either by changing the message or by renovating an existing message, or shall erect any sign or sign structure until a sign permit for that work is issued.

c. *To Whom Issued*. No sign permit for the installation or erection of any sign shall be issued to any person other than those licensed and insured in the city, unless otherwise specified, in accordance with this Section. Signs that require authorization in this Section are not required to be installed or erected by a licensed or insured person.

d. *Not to Issue for Prohibited Locations*. No sign permit shall be issued for any sign that is prohibited in the applicable zoning district or that is not platted in conformance with the City's subdivision regulations.

e. *Fees*. The sign permit fee shall be applied towards each sign that requires authorization. The sign permit fee is prescribed in Article 12 of this Chapter. The sign permit fee for a sign erected without issuance of a sign permit prior to installation is twice the cost of the standard fee for that type of sign. If this Section requires engineering, no sign permit shall be issued unless the sign structure is certified by a Texas Licensed Engineer.

f. *Interpretation and Administration*. The building official shall interpret and administer this Section. The building official may revoke any permit for a sign issued in error. See section 24.5.37 for appeals from orders, decisions, or determinations of the building official in the administration of this Section.

(2) *Initiation***.** An applicant for a sign permit shall file a written application with the building official. The application shall be made on forms prescribed by the building development services director. A separate application is required for each sign.

(3) *Scope*

a. Sign permit(s) will only be issued to licensed registered sign operators.

b. All electrical, animated, illuminated, or other electrical signs permits shall be issued only to registered electrical contractors or electrical sign contractors certified through the State of Texas department of licensing and regulations.

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c. Signs that fail to comply with all applicable requirements of this section and Article 12 are subject to denial or subsequent cancellation of the sign permit.

d. All signs taller than 25 feet or with an area greater than 310 square feet must have a State of Texas professional engineer seal certifying a design based on ultimate design wind speeds noted in most the recent adopted International Building Code.

(4) *Decision*.

a. The building official shall approve, deny or refer the application back to the applicant in any instance where insufficient information has been furnished within 15 working days of the date of the application,. The permit must be displayed on site during construction. In all applications where a matter of interpretation arises, the more specific definition or higher standard prevails. The failure of the building official to act within that time period is not construed as approval of the application, but will entitle the applicant to pursue a writ of mandamus in a court of competent jurisdiction.

b. The administrator may suspend or revoke an issued permit for any false statement or misrepresentation of fact in the application. The administrator may cancel a sign permit for any suspected violation of this code, the conditions of the permit, and/or other applicable law.

(5) *Criteria for Approval*

a. A sign permit will be issued if a proposed sign conforms to all city ordinances. Incorrect information on an application is grounds for denial or revocation of a sign permit.

b. The building official shall deny an application if it does not comply with the requirements of this section. A denial and the reasons for the denial shall be noted on the application (i.e., citing code sections and interpretation of possible nonconformity). The applicant shall be notified of the denial in person, or by notice mailed to the applicant at the address shown on the application or the last known address.

(6) *Permit Duration*. If the work authorized by a permit issued under this section does not commence within 180 days after the date of issuance, the permit becomes null and void unless otherwise noted in this Section. If the work authorized by a permit issued under this ordinance commences but is not completed within 30 days after the date of commencement, the permit becomes null and void and any portion of the sign erected must be removed and the site restored to the condition existing prior to the commencement of the work. The building official shall grant an extension of the permit period if the applicant shows good cause outside of the applicant's reasonable control for the delay in completion of the work, and the applicant pays a new permit fee.

(o) Unified Development Sign Plan

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(1) *Applicability.* A unified development sign plan is required for:

a. Developments of over one (1) acre, and

b. Prior to the issuance of a sign permit, or as otherwise required in this Section, to determine overall sign locations on a property, the relationship of the signs to surrounding existing, proposed, and future improvements, and to determine consistency and uniformity among buildings and signs.

(2) *Submittal*

a. For nonresidential and multifamily developments, the unified development sign plan shall be submitted to the city for review with a concept plan, preliminary site plan, or site plan of the property. For single-family and two-family developments, the sign coordination plan shall be submitted to the city for review with a concept plan, preliminary plat, or final plat of the property.

b. Unified development sign plans shall be submitted to the building development services department in digital format (i.e., pdf, shapefile, or CAD file for review with the application for a building permit for the initial development of property or properties to be affected.

(3) *Approval*. The building official shall approve, approve with conditions, or deny a unified development sign plan using the same procedures as those that apply to a sign permit.

(p) **Inspection.** The building official may inspect all signs prior to and upon completion of the sign installation. The purpose of the inspection is to ensure that the sign is constructed in accordance with this Section, other applicable ordinances, and the applicable permits. Any person installing, structurally altering, or relocating a sign for which a permit is issued shall notify the building official upon completion of the work. The contractor shall contact the building official, or the building development services department, for a required inspection at least 24 hours prior to the required inspection.

(q) **Enforcement.** This section is enforced as provided in Article 8, except as provided below:

(1) *Removal and Impoundment of Prohibited Signs*

a. The city council hereby declares that any sign which is unlawfully placed or existing in the right-of-way, a city park or city property, in violation of setback requirements, or in violation of any other provision of this Section and/or any other ordinance constitutes a public nuisance.

b. The following signs are subject to removal by the city under this section: bench signs and portable signs, unlawfully placed signs or signs existing in the public rights-of-way, signs in violation of the setback requirements, and/or signs in violation of any other provision of this chapter or any other ordinance. Upon discovery and inspection of any unlawful sign by the city, the sign shall be tagged for immediate removal. Notice shall be given to the occupant of the property by posting such notice on the front entryway of the building if such building exists where the sign is located

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and on the sign. The notice shall advise of the opportunity to contest the unlawful nature of the sign by contacting a designated city official. If the sign continues to be unlawfully in place after 72 hours, the city may remove the sign. The sign will be placed at a city sponsored storage facility.

c. Any sign that is removed as a violation of this code is stored until claimed by the rightful owner or person who has the immediate right to possession of that sign, or until disposed of as provided below. A fee of $3.00 per day is charged for that storage. The city shall have a lien against those signs until all charges for removal, impoundment, and storage are paid. All signs stored by the city that remain unclaimed for 30 days by the owner or person with immediate right to possession is subject to disposal.

(2) *Removal of Signs by the Building Official*

a. If upon inspection an building official finds that a sign is abandoned or structurally, materially, or electrically defective, or in any way endangers the public, the building official shall issue a written order to the owner of the sign and occupant of the premises stating the nature of the violation and requiring them to repair or remove the sign within 30 days of the date of the order.

b. The building official may cause the removal of an illegal sign in case of emergency, as well as signs placed on city owned property, or rights-of-way without notice. Signs removed in this manner must present a hazard to the public safety as defined in the local building or traffic codes. The building official may also cause the removal of signs for failure to comply with the written orders or removal or repair. After removal or demolition of the sign, a notice shall be mailed to the sign owner stating the nature of the work, the date in which it was performed, and a demand of payment towards the costs as certified by the administrator. The building official may impound the sign as provided in subsection (1) above.

c. The owner of the property upon which the sign is located is presumed to be the owner of all signs on the property unless facts to the contrary are brought to the attention of the building official (e.g., in the case of a leased sign). For purposes of removal, the definition of "sign" includes all sign embellishments and structures designed specifically to support the sign.

(3) *Unsafe Signs Declared Nuisances, Abatement*

a. *Applicability.* Any sign or sign structure that is structurally unsafe and any electrical system or equipment regulated by this Section that is unsafe or that constitutes a fire or health hazard, unsanitary condition, or is otherwise dangerous to human life is hereby declared unsafe. Any use of a sign or sign structure, an electrical system, or equipment regulated by this chapter constituting a hazard to safety, health or public welfare by

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reason of improper installation, inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage, and/or abandonment is hereby declared an unsafe use. Any unsafe sign, sign structure, or equipment is declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition, or removal (i.e., when permitted by this and other city codes).

b. *Exception*. When done in compliance with this Section and other applicable laws, ordinances, and regulations the nuisance may be abated by repair, rehabilitation, or removal and replacement.

c. *Notice of Violation.* If the building official determines that any sign is not properly maintained, is unsafe or insecure, or has otherwise been constructed, erected, and/or maintained in violation of the provisions of this Section, the official shall give written notice to the sign's permittee or owner stating:

1. The registration number (if available), location, business name of the sign, and sufficient identification of such sign;

2. A statement that the building official has found the sign in violation of this Section or other laws, together with a general description of the violation;

3. The amount of time required to bring the sign into accordance with this Section or any other law, not to exceed 10 days.

d. *Remedies Cumulative.* In addition to the above, the building official may issue citations or pursue any other administrative or legal remedy to abate any sign which is in violation of this code or any other law.

e. *Dangerous Signs.* In lieu of any provision of this subsection, the building official may cause any sign which is dangerous to persons or property to be removed summarily and without notice.

f. *Damaged Signs.* The owner of all buildings or structures damaged by deterioration or by fire shall notify the building official and the building development services director in writing at the earliest possible opportunity, but no later than 10 business days after the date of the damage. The building official shall, at the earliest possible opportunity but no later than 10 business days, inspect the buildings or structures and all unsafe signs, sign structures, and/or wiring or electrical equipment that shall be repaired or replaced. If the building official learns of the damage, the building official shall conduct an inspection at the earliest possible opportunity but no later than 10 business days.

g. *Covered or Concealed Work.* Any work covered or concealed without inspection is considered evidence of an unsafe sign or sign structure. Unsafe structures remain in compliance with this Section every day until the work is inspected and approved. Inspections are not permitted until a valid active permit is obtained in accordance with this Section.

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(4) *Penalties.* See section 24.8.7 (Penalties). The Building Official may cancel the registration of any sign contractor who repeatedly violates this Section. Conviction in court, whether appealed or not, on two (2) violations over twelve (12) consecutive months constitutes evidence of repeated violation. Any repeated violation cancels the license or registration, any renewal of the sign contractor's license or registration. This cancellation applies tor anyone operating in concert with the sign contractor. The cancellation applies to the remainder of the annual registration or until all violations are corrected. Upon correction of violations, the sign contractor may renew the license or registration upon furnishing the required bond.

(r) License requirements

(1) *Applicability*

a. All sign operators shall obtain a license from the City of Laredo. The license may apply to either one (1) individual, or one (1) company. A license holder supplying a license for a sole proprietorship, joint venture, limited liability corporation, or other legal entity shall not supply that license to any other person, sole proprietorship, joint venture, limited liability corporation, or other legal entity.

b. Except signs which require authorization in this Section and all signs for which a permit is not required, no person shall install, erect, or maintain any sign, or contract for that service, until that person has applied to the building official for a contractor registration to install, erect and/or maintain signs and until the license or registration is approved and issued. The building official shall approve or deny an application for a license and registration within 30 days of the city's receipt of the application.

c. All electrical sign work must be performed by an electrical contractor or electrical sign contractor as licensed and registered with the Texas Department of Licensing and Regulation. All electrical contractors and electrical sign contractors must comply with all regulations of the Texas Department of Licensing and Regulation.

d. All persons engaged in the business of erecting, installing, servicing and/or maintaining billboards shall be licensed by the Texas Department of Transportation.

e. All company vehicles must have the state electrical sign contractor license number on each side of the vehicle in a minimum of two inch (2") tall letters and number (TDL #) as required by state regulations.

(2) *Evaluation.* The building official shall evaluate, authorize, or deny as a part of the permit the person assigned to install, erect, maintain, repair and/or alter a sign. The authorization is based on the building official's evaluation of the direct experience of the person specified for the sign work. This evaluation is not

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required to install a nonelectrical sign that does not exceed 32 square feet and a height of seven (7) feet above grade, and has no illumination.

(3) *Insurance requirements*. All licensed sign operators shall purchase and maintain, at their expense, adequate insurance coverage. Certificates of insurance shall be provided to the city on March 15 of each year for which licensing is sought, or at the request of the building official. Liability insurance coverage policy limits must be in a minimum range of one million dollars ($1,000,000.00), must name the City of Laredo as a lien holder, and must have a waiver of subrogation. In addition, all insurance policies shall be endorsed to the effect that the city of Laredo will receive at least 60 days' notice prior to cancellation, non-renewal or material change which meets or exceeds the following limits:

a. Workers compensation insurance at statutory limits, including employers liability coverage with minimum limits of $100,000 for each occurrence or accident; and

b. Comprehensive general liability at $300,000 general aggregate for bodily injury and property damage. Any subcontractor(s) hired by a contractor shall maintain insurance coverage equal to that required of the contractor. The contractor shall assure compliance with this provision.

(s) Nonconforming Signs

Purpose. L*oss of nonconforming status is considered as much a subject of health, safety, and welfare as the prohibition of new signs in violation of this Section. It is the intent, therefore, to administer this Section to realize the removal of illegal non-conforming signs, and to avoid any unreasonable invasion of established private property rights.*

(1) *Assignment of status.* This Section encourages eventual elimination of signs that, as a result of the adoption of this Section, become nonconforming. Existing signs which do not conform to the specific provisions of this section "legal nonconforming" if:

a. The building official determines those signs are properly maintained and do not in any way endanger the public; and

b. The sign was installed in conformance with a valid permit or variance, or complied with all applicable laws on the date of adoption of this Section.

(2) *Continuation and Restrictions*. A legal non-conforming sign may continue in good condition, but shall not be:

a. Replaced by another non-conforming sign;

b. Structurally altered to prolong the life of the sign;

c. Expanded;

d. Reestablished after damage or destruction if the estimated expense of reconstruction exceeds 50% of the estimated replacement cost;

e. Relocated, unless caused by government action, and the location is approved by the building development services department.

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(3) *Alterations.* If a permit is issued, a non-conforming sign may be altered under the following instances:

a. Must submit engineer sealed drawing for changes and pole support.

b. Must not increase level of non-conformity. Non-conforming signs shall not:

1. Increase in square footage.
2. Convert to digital/CEVMS sign.
3. Convert to electrical/illuminated sign.
4. Increase height (if outside of allowable).

c. Must not be located in a sight visibility triangle.

(4) *Maintenance and repair of non-conforming signs*.

a. The legal non-conforming sign is subject to all requirements of this Chapter regarding safety, maintenance, and repair. However, if the sign suffers more than 50% damage or deterioration, as based on appraisal, it must be brought into conformance with this Section or removed.

b. All signs shall be properly maintained. Exposed surfaces shall be clean and painted as required. Defective parts shall be replaced.

(5) *Repair or removal of nonconforming signs*. If these conditions are not met, and the sign is not designated a legal non-conforming sign, the sign must be brought into compliance with this ordinance or be removed. The building official may order the repair or removal of any sign which is defective, damaged, or substantially deteriorated.

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24.6.24 Telecommunications Facilities

(a) **Applicability**. This section applies to any antenna, communication tower, or telecommunications facility (referred to collectively in this section as "Facility").

(b) **Application Procedures.** An application for a site plan or conditional use permit shall include all information required by Article 12. The City shall render any decision on an application consistent with any time limits, findings of fact and conclusions of law, or any other applicable requirement of Texas Local Government Code chapter 284, 47 U.S.C. Section 332(c)(7), Texas Utility Code, the requirements for facility modifications under 47 U.S.C. Section 1455(a) and any regulations adopted to implement those laws.

(c) **Factors to be Considered in Issuance of Conditional Use Permit.** The following applies to any Facility that requires a conditional use permit as designated in the Use Table (Section 24.2.17):

(1) Prior to approving a conditional use permit, the Planning and Zoning Commission shall make findings concerning the following:

a. Proposed tower height;

b. Tower proximity to residential structures and residential district boundaries;

c. Nature of uses on adjacent and nearby properties;

d. Surrounding topography;

e. Surrounding tree coverage and foliage;

f. Tower design, particularly to design characteristics that reduce or eliminate visual obtrusiveness. This may include fencing and screening;

g. Access;

h. Availability of existing towers, other structures, or alternative technologies not requiring the use of towers or structures.

(2) The Planning and Zoning Commission may impose conditions necessary to minimize any adverse effect of the proposed tower on adjoining properties.

(d) Design Standards

(1) *Existing Towers, Other Structures, or Alternative Technology*. No new tower is permitted unless no existing tower, structure or alternative technology that does not require the use of towers or structures can accommodate the applicant's proposed antenna, or

a. Existing towers or structures are not located within the geographic area which meet applicant's engineering requirements, or

b. Existing towers or structures are not of sufficient height to meet applicant's engineering requirements, or

c. Existing towers or structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment, or

d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna, or

e. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable, or

f. The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable micro cell network using multiple low-powered transmitters/receivers attached to a wire line system, is unsuitable.

(2) *Setbacks*. The following setback requirements apply to all towers

a. Towers must set back at least 75% of the tower's height from any adjoining lot line.

b. Guys and accessory buildings must comply with the minimum zoning district setback requirements.

(3) *Separation from off-site uses/designated areas*

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a. Tower separation is measured from the base of the tower to the lot line of the off-site uses and/or designated areas as specified in Table 6.23-1, except as otherwise provided in Table 6.23-1.

b. Separation requirements for towers shall comply with the minimum standards established in Table 6.23-1.

Table 6.23-1 Telecommunication Facilities Separation Distances

Off-site Zoning District	Separation Distance[1]
R-S, R-1 and R-1A districts	200 feet or 300% height of tower, whichever is greater.
R-1B, RSM, R-2, R-3 districts	100 feet or 100% height of tower, whichever is greater.
Non-residentially zoned lands or non- residential uses	None; only setbacks apply

[1] Separation measured from tower base.

(4) *Separation distance between towers*. Separation distances between towers apply to and are measured between the proposed tower and preexisting towers. The separation distances are measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) follow those in Table 6.23-2.

Table 6.23-2 Separation Distance Between Towers

Tower Types	Lattice	Guyed	Monopole 75 ft in Height or Greater	Monopole Less than 75 ft in Height
Lattice	5000′	5000′	1500′	750′
Guyed	5000′	5000′	1500′	750′
Monopole 75 ft in Height or Greater	1500′	1500′	1500′	750′
Monopole Less than 75 ft in Height	750′	750′	750′	750′

(5) *Security fencing*. Security fencing more than six feet tall shall enclose towers. This fencing is equipped with an appropriate anti-climbing device.

(6) *Landscaping*. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent.

(7) *Buildings or Other Equipment Storage*

a. *Antennas Mounted on Structures or Rooftops*. The equipment cabinet or structure used in association with antennas shall comply with the following:

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1. A safety report from a structural engineer establishing the structural integrity of the principal support structure.
2. Equipment storage buildings or cabinets shall comply with all applicable building codes.

b. *Antennas Mounted on Utility Poles or Light Poles*. These antennas are subject to any franchises required by law. The equipment cabinet or structure used in association with these antennas shall locate within designated easements or within the public right-of-way as provided in any franchise agreement. No equipment cabinet or structure shall interfere with pedestrian or vehicular circulation and visibility.

c. *Antennas Located on Towers*. The related unmanned equipment structure shall comply with the minimum yard requirements of the applicable zoning district.

(e) Removal of Abandoned Antennas and Towers. Any antenna or tower that is not operated for a continuous 12 month period is considered abandoned. The owner shall remove the antenna or tower within 90 days of receipt of notice from the City of Laredo of the abandonment. Failure to remove an abandoned antenna or tower within 90 days is grounds to remove the tower or antenna at the owner's expense. If there are two or more users of a single tower, this provision does not become effective until all users cease using the tower.

24.6.25 Temporary Structures and Uses

(a) Applicability

(1) This section applies to the following temporary uses of limited duration:

a. special events;

b. garage sales;

c. seasonal sales;

d. private premises vendor permits; and

e. parades.

Note: garage sales are subject to Chapter 18, Article III of the Laredo Code.

(2) The uses referenced in subsection (1) shall comply with the standards in this section and shall discontinue upon the expiration of a set time period. The time period is established in the Laredo Code or as a condition of site plan approval.

(b) Generally Temporary uses and special events shall not involve the construction or alteration of any permanent building or structure.

(c) Approval Procedure. Any use listed in this section requires a site plan approved by the Planning Director (see Section 24.5.34).

(d) General Standards for All Temporary Structures and Uses. All temporary uses or structures shall meet the following general requirements, unless otherwise specified in this Chapter:

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(1) The temporary use or structure shall not be detrimental to property or improvements in the surrounding area, or to the public health, safety, or general welfare.

(2) The temporary use shall comply with all applicable general and specific regulations of this Section, unless otherwise expressly stated.

(3) Permanent alterations to the site are prohibited.

(4) All temporary signs associated with the temporary use or structure shall be properly permitted and removed when the activity ends or permit expires, whichever occurs first.

(5) The temporary use or structure shall not violate any applicable conditions of approval that apply to a principal use on the site.

(6) The temporary use regulations of this section do not exempt the applicant or operator from any other required permits, such as health or building permits.

(7) If the property is undeveloped, it shall contain sufficient land area to allow the temporary use or structure to occur, as well as any parking and traffic circulation as required that may be associated with the temporary use, without disturbing sensitive or protected resources, including required buffers, 100-year floodplains, river protection setbacks, and required landscaping. At the conclusion of the temporary use or at expiration of the permit, whichever occurs first, all disturbed areas of the site shall be restored or improved to the condition that existed prior to the use.

(8) If the property is developed, the temporary use shall be located in an area that is not actively used by an existing approved principal use, and that would support the proposed temporary use without encroaching or creating a negative impact on existing buffers, open space, landscaping, traffic movements, pedestrian circulation, or parking space availability.

(9) Tents and other temporary structures shall be located so as not to interfere with the normal operations of any permanent use located on the property, shall be anchored, and meet applicable building and fire code requirements.

(10) Off-street parking shall be adequate to accommodate the proposed temporary use.

24.6.26 Used Vehicle Sales and Repair

(a) Applicability. This section applies to the following uses:

(1) Aircraft Repair;

(2) Auto Repair, Heavy;

(3) Auto Repair, Minor;

(4) Automobile or Vehicle Sales; and

(5) Heavy Equipment Sales and Service.

(b) Generally

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(1) Outside storage or display of products is not allowed. This subsection does not apply to vehicles that are currently offered for sale by the establishment.

(2) Repair or installation work must be conducted inside a building.

(3) Service bays shall not face a public street. Service bays that face a residential zoning district shall be screened in accordance to the Landscaping standards of this Chapter.

(4) Service bays facing a public street or a residential zoning district shall be screened to a height of at least six feet as viewed from the facing public street or facing residential property line.

(5) Wash bays and vacuum bays facing a public street or a residential zoning district shall be screened in accordance to the landscaping standards of this Chapter (Section 24.3.6).

(c) Rental Vehicles

(1) The types of vehicles for rent are limited to passenger cars and/or ¾ ton pick-up trucks.

(2) No more than 20 parking spaces shall be reserved for rental vehicles.

24.6.27 Building & Building Regulations

The Codes and Standards adopted herein shall govern the design and construction of all structures within the City of Laredo. Sections of adopted codes which have been deleted, modified or amended by separate ordinance shall be fully incorporated into the provisions of the adopted codes.

(a) Standard Building Code™

There is hereby adopted by the City Council the 2021 edition of the Standard Building Code™, promulgated by the Southern Building Code Congress, and the whole thereof, and the following:

Appendices attached thereto: A, "Weights of Building Materials"; C, "One an Two Family Dwellings"; D, "Standards for Demolition"; E "Energy Conservation"; F, "Recommended Guide for the Establishment of a Fire District"; H, "Manufactured Homes Tie Down Standards"; and N, "Noise Attenuation Performance Standards for Structures located with Airport Noise Specific Use Zoning Overlay Districts affected by Excessive Aircraft Noise", save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(b) National Electrical Code™

(1) The National Electrical Code™, 2020 edition, providing rules and regulations and requirements for the installation of electrical wiring and apparatus, is hereby adopted as a standard for the installation of all electrical wiring and apparatus and fixtures, except as otherwise specifically provided in this chapter, and a copy of the same is made a part of this chapter, as fully as though copied

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herein in full; however, should there be any conflict between the provisions of this chapter and the National Electrical Code™, the provisions of this chapter shall govern and control, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(2) The "Meter Installation Standard" (with its latest revisions and additions) of the franchised power and light company are hereby adopted as a standard for the installation of meters and metering devices, auxiliaries and appurtenances, and a copy of the same is attached hereto, incorporated herein and made a part of this chapter as fully and to the same extent as though copied herein in full.

(3) It is provided however, that the provisions of this chapter shall not apply to installations used by electricity supply, or communication agencies in the generation, transmission or distribution of electricity, or the operation of signal or transmission of intelligence by such an agency, or on public thoroughfares or easements; provided, however, that, such agencies excepted are operating under a valid franchise from the city.

(4) The various departments and buildings of the city and school district shall be subject to the provisions of this chapter insofar as the same may be applicable.

(c) Standard Plumbing Code™

(1) There is hereby adopted by and for the city the Standard Plumbing Code™, 1994 edition, as recommended by the Southern Building Code Congress, which code is published in loose-leaf form, three (3) certified copies of which code are filed of record in the office of the City Secretary, and the adoption of said code includes Appendices A, B, C, D, E, F, G, I, J, and K, and all made a part of this Chapter save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(d) Standard Gas Code™

(1) There is hereby adopted by and for the city the Standard Gas Code™, 2021 edition promulgated by the Southern Standard Building Code Congress, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(e) Standard Mechanical Code™

(1) There is hereby adopted by the City Council the 2021 edition of the Standard Mechanical Code™, promulgated by the Southern Building Code Congress, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(f) Standard Housing Code™

(1) There is hereby adopted by the City Council the Standard Housing Code 2021 edition save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(g) Standard Amusement Device Code™

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(1) There is hereby adopted by the City Council the Standard Amusement Device Code™, 1985 edition, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(h) Standard Swimming Pool Code ™

(1) There is hereby adopted by the City Council the Standard Swimming Pool Code™, 2018 edition, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(i) Standard Unsafe Building Abatement Code™

(1) There is hereby adopted by the City Council the Standard Unsafe Building Abatement Code™, 1985 edition, save and except such portions as may be deleted, modified or amended by ordinance duly adopted by the Council.

(j) SBCCI Standard for Existing High Rise Buildings SSTD 3-84

(k) SBCCI Standard for Flood Plain Management SSTD 4-89

(l) SBCCI Standard for Soil Expansion SSTD 7-86

24.6.28 Building and Mechanical Permits

It shall be unlawful for an owner to use or permit the use of any structure, building or land, or part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partly, until a permit or permits shall have been issued by the Building Official or his designee. It shall be the duty of the Building Official or his designee to issue a permit, provided he is satisfied that the structure, building or premises and the proposed use thereof conforms with all the requirements of this code. No permit for excavation, construction or reconstruction shall be issued by the Building Official unless the plans, specifications and the intended use conform to the provisions of this code.

24.6.29 Application and Issuance of Building and Mechanical Permits

(a) The following shall apply in the application and issuance of building permits:

(1) Written application shall be made for a building permit for the construction of a new building or the alteration or modification of an existing building. Said permit shall be issued within 2l days after a written request for the same has been made to the Building Official or his agent, provided such construction or alteration is in conformity with the provisions of adopted codes. If not approved, the permit shall be denied within 2l days with reasons given.

(2) Every application for a building permit shall be accompanied by a site plan in duplicate, and such other plans as may be necessary to show the location and type of buildings to be erected or alterations or modifications to be made.

(b) Site Plan Requirements.

(1) A diagram indicating the location of the lot, the street providing access to the lot and the exact location of the lot in relation to the nearest cross street. Each lot shall

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have either direct access to a public street, or access by a private driveway easement which shall be a minimum of twenty (20) feet in width, and not longer than one hundred and fifty (150) feet in depth. The situation in which access is provided by private easement is applicable only to existing lots of record.

(2) The legal description of the property.

(3) The actual dimensions of the lot, the yard and other open space dimensions thereof, and the location and size of any existing structure thereon.

(4) The location and size of the proposed structure, and/or the proposed enlargement of the existing structure.

(5) Any other information which in the judgment of the Building Official may be necessary to provide for the enforcement of this code, including but not limited to, evidence of ownership or interest in the property, evidence of a lot of record, availability of public water supply and wastewater collection, surveys, and soil tests.

(6) Each property owner or authorized agent shall be required to attest to the correctness of the statements and data furnished with the application.

(7) The Building Official shall not issue a building permit for any application requiring approval of the City Council, the Planning and Zoning Commission, the Zoning Board of Adjustment, the Building Standards Board, or the Historic District/Landmark Board until he has been authorized to do so.

24.6.30 Expiration of Building and Mechanical Permits

The building or mechanical permit shall expire twelve months from the date of issuance in accordance with the provisions of the adopted code.

24.6.31 Certificate of Occupancy and Temporary Certificate of Occupancy

(1) A Certificate of Occupancy permits full use of an entire building or structure when it is intended for a single, specific occupancy or use. No new building shall be occupied, nor any changes be made to the occupancy, use, or nature of a building or any part thereof, until the building official issues a Certificate of Occupancy. The certificate shall only be issued after the building has passed all required inspections, complies with all applicable codes, laws, and ordinances, has been approved by the building official, and the required fee has been paid by the applicant.

(2) A Certificate of Occupancy for an existing building shall be obtained by submitting an application to the building official, along with the necessary information and documentation to verify compliance with the technical codes for the intended use. If deemed necessary by the building official, detailed drawings, a general inspection, or both may be required. If, after review and inspection, the building is

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found to comply with all applicable technical codes, laws, and ordinances for the proposed occupancy, and the established fee has been paid, a Certificate of Occupancy shall be issued.

(3) A Temporary Certificate of Occupancy (TCO) shall be issued to permit temporary occupancy of an incomplete building valid for 30 days, provided the established fee has been paid and the building has successfully passed all required life safety and essential service system inspections:

1. For residential: Electrical final, mechanical final, plumbing final, building final, and fire final.

2. For Commercial: Engineering final, electrical final, mechanical final, plumbing final, building final and fire final.

(4) An extension TCO may be granted for an additional thirty (30) days upon with written request for extension and upon payment of the established fee

24.6.32 Record of Building Permits and Certificates of Occupancy

The Building Official shall maintain a record of all building permits and certificates of occupancy and copies shall be furnished upon request to any person.

24.6.33 Compliance of Plans, Permits and Certificates

Building permits or certificates of occupancy issued on the basis of plans and applications approved by the Building Official authorize only the use and arrangement set forth in such approved plans and applications or amendments thereto, and no other use, arrangement, or construction. Use, arrangement, or construction contrary to that authorized shall be punishable as provided herein.

24.6.34 Expedited Plan Review

(a) Purpose: The purpose of Expedited Plan Review (EPR) is to streamline the administrative processes associated with the issuance of construction permits consistent with code compliance requirements and fiscal accountability, assigning priority review to those general contractors participating in the program.

(b) Eligibility: Construction professionals utilizing EPR acknowledge that the processes and procedures outlined herein are the key to successful implementation and agree to strict compliance with these procedures. Utilization of EPR does not abrogate the responsibility of the contractor to provide complete and accurate plans, to utilize licensed and/or bonded subcontractors, or of the city to enforce the requirements of adopted codes. Misrepresentation or fraudulent applications shall void permits and bar contractor participation in the future. General contractors only.

(c) Plan Submittals:

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(1) Standardized Pre-filed: Standardized plans may be pre-filed. Plans should be identified by general contractor name, standardized reference identification, and should include elevations, curb cut requests, foundation and framing information, construction valuation, plumbing and electrical wiring details and fixture cost take-offs. Subcontractor information including name, address, bond and license information shall be submitted with standardized plan, or individually with permit applications. No permit may be issued to any general contractor for electrical, plumbing, or HVAC work unless such contractors are duly licensed and/or bonded by the City of Laredo. Permit applications for approved standardized construction projects may be submitted singly or in batch form with individual site plans and exceptions to standardized plans, if any. The application shall include contractor name, signed or initialed by the owner or authorized agent, plan identification, street address and number, legal lot, block and subdivision information, and standardized fee calculation for all fees, including tap, building, plumbing, electrical, HVAC, plan check, curb cut, water availability, meter installation fees, and water deposit (see example). Standardized pre-filed plans for which provisional electrical service is requested shall include an affidavit signed by the general contractor and the electrical contractor acknowledging their agreement with the terms of provisional electrical service, and shall include payment of a reinspection fee.

(2) Non-standardized or customized: Two complete sets of construction drawings shall be submitted to include site plans, curb cut requests, elevations, foundation and framing information, construction valuation, plumbing and electrical wiring details and fixture cost take-offs. Complete subcontractor information including name, address, bond and license information shall be submitted with permit applications. One shall be maintained in the file and one shall be returned to the contractor stamped

"Reviewed for Compliance - APPROVED". The application shall include contractor name, signed or initialed by the owner or authorized agent, plan identification, street address and number, legal lot, block and subdivision information, and standardized fee calculation for ALL fees, including tap, building, plumbing, electrical, HVAC, plan check, curb cut, water availability, meter installation fees, and water deposit (see example). Provisional electrical service is not authorized for customized projects.

(d) Plan review:

(1) Standardized Pre-filed: Curbs cut and water/wastewater requests shall be forwarded to the appropriate department by the Plan Review Section. Fee payments for pre-filed plans shall be sent to the Collections Department or deposited directly with the city's depository bank.

(2) Non-standardized or customized: Curbs cut and water/wastewater requests shall be forwarded to the appropriate department by the Plan Review Section. Fee payments for customized plans shall be remitted to the Collections Department. Fee

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adjustments, if any, shall be requested in writing through the Collections Department.

(e) Permit Issuance:

(1) Standardized Pre-filed: A Combined Permit shall be issued electronically or by fax to the general contractor for building, plumbing, electrical and HVAC work using licensed and/or bonded contractors once fee verification is received. Where possible curb cut permits shall be issued simultaneously with the combined permit. No permit may be issued unless water and wastewater service is available to the property or is otherwise approved by the Public Utilities Department, or the Health Department where septic systems are authorized. Meter installation schedules must be coordinated with the Collections Department by the general contractor.

(2) Non-standardized or customized: A Combined Permit shall be issued electronically or by fax to the general contractor for building, plumbing, electrical and HVAC work utilizing licensed and/or bonded contractors, once fee verification is received. The Combined permit may be issued with conditions which shall be noted on the plans and on the face of the permit. Where possible curb cut permits shall be issued simultaneously with the combined permit. No permit may be issued unless water and wastewater service is available to the property or is otherwise approved by the Public Utilities Department, or the Health Department where septic systems are authorized. Meter installation schedules must be coordinated with the Collections Department by the general contractor.

(f) Inspections: All requests for inspections shall be submitted to the Building Official or his designee by the general contractor not later than the day before inspection is necessary. The general contractor or his agent shall be present during the inspections. A copy of inspection reports shall be delivered in person at the site or by fax to the general contractor who shall be responsible for advising subcontractors of any remedial actions which may be required. A complete set of stamped "approved" plans shall be at the site during inspections. All general contractors shall see that trash and debris is properly contained during construction. Provisional electrical service may be approved by the electrical inspector for a period of time not to exceed thirty (30) days. Provisional service shall be discontinued without notice to any contractor if a Certificate of Occupancy has not been issued before the expiration of the thirty-day period. Certificates of Occupancy and/or final electrical service shall not be authorized at any location which has not been cleared of debris. No re-inspection fees shall be charged, but re-inspection shall not be made earlier than three days following the time of the original inspection. A second occurrence at the same site shall delay re-inspection for an additional five days.

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24.6.35 Electrical Permit - Required

(a) It shall be unlawful for any person except electric utility operating under franchise to hereafter commence the construction, installation or alteration of any electrical work, either outside or inside of any building, without first making application in writing on forms furnished by the city to the inspector for a permit for such construction, installation or alteration of wiring. A permit issued under this section shall expire ninety (90) days after issuance if the work authorized thereby has not commenced within that time or thirty (30) days after suspension or abandonment of the work authorized thereby. All temporary electric service poles used in a project shall be removed upon expiration of the permit issued for the project or within one year.

24.6.36 Working Not Required Permit

(a) No electrical permit shall be required for the making of minor repairs or maintenance work, the connection of portable electrical equipment or lamps to permanently installed receptacles. No permit shall be required of an established refrigeration firm or organization for the replacing of a refrigerator motor or controls that are a part of the refrigeration system.

24.6.37 Application and Permit Issuance

(a) The application for the electrical permit required by this article shall contain a description by street and number; or by street, lot and block number, as may be necessary to locate the same; and shall be accompanied fees provided for in this code and a diagram or plan showing the character or kind of work to be done and the manner in which the electrical installation is to be made.

(b) The Building Official or his designee shall issue a permit for the construction, installation, or alteration of any electrical work master electricians licensed by the city.

(c) The electrical building permit issued by the office of the Building Official must be displayed on the premises where it is visible to the public.

24.6.38 Electrical Inspections

(a) A rough-in inspection is required on all completed wiring systems before the same shall be allowed to be concealed from view. All wiring devices, circuit breaker panels, and all Final connection to equipment shall be permanently installed before final inspection and acceptance except the lighting or other fixtures themselves; and separate permits shall be required for any alteration or changes thereafter, provided however, that provisional service may be approved by the electrical inspector for the purpose of testing equipment subject to the following:

(1) Commercial Projects. Provisional electrical service for each commercial project may be approved for a period not to exceed thirty (30) days, provided however:

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a. Electrical service shall be terminated without notice to any contractor following the expiration of the thirty (30) day period unless a Final Electrical Inspection is issued.

b. Where provisional service was granted and subsequently terminated for failure to secure final inspection, an additional inspection shall be required for reconnection. An electrical contractor who has had electrical service terminated for failure to secure Final Inspection on two occasions shall be ineligible to apply for provisional service for a period of not less than six months.

c. A request for the extension of provisional service beyond the thirty (30) day period shall not be granted except in the case where escalators/elevators require testing, special refrigeration problems exist, or where unusual circumstances affect electrical or other subcontractors. The request for extension shall be submitted in writing jointly by the electrical and general contractor, and shall specify the reasons for the request.

(2) Residential Projects. Provisional Electrical service for each residential project participating in Pre-filed Expedited Plan Review may be approved for a period not to exceed thirty (30) days, provided however:

a. Electrical service shall be terminated without notice to any contractor following the expiration of the thirty (30) day period unless a Final Electrical Inspection is issued.

b. Where provisional service was granted and subsequently terminated for failure to secure final inspection, an additional inspection shall be required for reconnection. A general contractor who has had electrical service terminated for failure to secure Final Inspection shall be ineligible to continue participation in EPR for a period of not less than six months.

c. No extensions of provisional service beyond the thirty (30) day period shall be granted.

(3) Eligibility/Participation.

a. Electrical work has been completed in conformance with the National Electrical Code, as it may be amended from time to time, and approved by the Electrical Inspector.

b. Service panels have been installed in accordance with the requirements of the electric

c. service provider and the Electrical Inspector.

d. The permit includes a re-inspection fee of $20.00.

e. All requests for inspection were called in timely.

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f. All deficiencies noted by the electrical inspector were corrected.

g. All calls for inspection shall be made by the licensed electrical contractor who shall provide his name, license number and the type of inspection requested at the time the call is made.

(b) Any person having charge of the construction, alteration, or repair of buildings, who covers or conceals or causes to be concealed or covered, any wiring for which an electrical permit has been issued or required before such wiring has been inspected and approved without having officially notified the office of the Building Official at least twenty-four (24) hours previously (Saturday afternoons and Sundays and Holidays not included), shall be subject to penalties provided in adopted codes, as they may be amended from time to time.

24.6.39 Service Connection and Reconnection

(a) Whenever the service entrance conductors or interior wiring in a building does not meet requirements of this chapter and has been so declared by the electrical inspector, new service shall be denied until the entire wiring has been made to comply with this chapter. No new service shall be extended unless water and wastewater service has been approved by the City of Laredo.

24.6.40 Appeals

(a) Any person or corporation aggrieved by the decision of the electrical inspector may appeal the matter to the Board of Electrical Examiners by filing a written appeal with the Building Official. The Board of Electrical examiners shall hear the appeal following notice to the parties as soon as practicable, but in no event later than 30 days following the date on which the appeal is filed.

24.6.41 Responsibility for Safe Work

(a) The provisions of this chapter shall not be construed to relieve from or lessen the responsibility of any person owning, operating or installing any electrical wiring, apparatus, and fixtures, or in installing meters, metering devices, auxiliaries or appurtenances for damage to any one injured or damaged by any defect therein, nor shall the city be held liable for any damages or injuries suffered by any person or property as a result of the enforcement of the provisions and regulations of this chapter, or from any defects in the materials which may be installed or the work which may be done under the provisions hereof, and for which a certificate of inspection has been issued by an electrical inspector.

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24.6.42 Registration and Examination of Electricians Required

(a) Each person desiring to engage in the occupation of master electrician, limited master electrician, maintenance or journeyman electrician shall be examined in accord with the directions of the electrical examining board, and following payment of the registration fee prescribed in Appendix C, shall be registered in accordance with the provisions of this article. Apprentice electricians shall be required to pay registration fees. The requirements for licensing shall be as follows:

(1) Master electrician. An applicant for a certificate of registration as master electrician shall file with the application an affidavit setting forth that such applicant is not less than twenty-one (21) years of age and has had not less than five (5) years experience as a journeyman electrician in the installation and repair of electrical equipment and conductors in residential, commercial or industrial wiring, or equally qualifying experience.

(2) Limited master electrician (sign or elevator). If an applicant desires to do work in the electrical sign or electrical elevator installation, repair and maintenance and obtain a certificate of registration as a limited master electrician for such work, he shall pass a special examination on the same basis as that given to a master electrician but with diagrams and a set of questions applicable to his particular classification.

(3) Maintenance electrician. An applicant for registration as maintenance electrician shall file with the application an affidavit setting forth that he is not less than twenty-one (21) years of age and has not less than two (2) years experience in building electrical maintenance under competent supervision. The applicant shall file with his application a letter bearing the signature of the person by whom he is regularly employed and the address of the place of his employment and, unless exempt as hereinafter provided, shall take such examination as herein prescribed, o shall state that he intends to work under this classification and will furnish the letter described above when so employed and will notify the electrical inspector of each employment during the life of his license.

(4) Journeyman electrician. Applicants for registration as journeyman electrician shall file with the application an affidavit, setting forth that he is not less than eighteen (18) years of age and that he has not had less than three (3) years experience as an electrician's helper or apprentice electrician. An applicant shall be examined in the field of work in which he proposes to engage. An applicant shall make in his application affidavit, a statement that he will engage only in the employ of a registered master electrician, and shall perform all installations, alterations and repair of electrical wiring, fixtures and equipment in accordance with this chapter, and that he will not independently engage in the business of contracting such electrical work.

(5) Apprentice electrician. An application filed for registration as apprentice electrician shall state the age of the applicant and the intent that he is engaging in the learning of and assisting in the installation, maintenance or repair of electrical wiring, fixtures and equipment working directly under the supervision of a person holding a registered certificate.

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(6) Education credited as experience. A certification of graduation from or an affidavit of attendance at a recognized technical school or college shall be credited year for year to satisfy the experience requirements for any time required in excess of one year; provided that, the courses covered shall have been on the installation and repair of electrical conductors and equipment and taught by some person holding a certificate or registration under this chapter for a technical school, or that the education consist of attendance in an engineering college.

(b) Any person already holding a license as master electrician, or renewal thereof, in accordance with the provisions of this and related codes, as they may be amended from time to time, shall display the same in a conspicuous place in the place of business of such person.

(c) Suspension of License.

Following notice and hearing before the Electrical Examining Board, a license may be revoked or suspended for a period of not less than three months nor more than twelve months where an affirmative finding of the following is made:

(1) Fraud or misrepresentation in obtaining a license or permit.
(2) Failure to provide supervision of unlicensed employees
(3) Failure to perform work in conformance with the conditions of a valid permit
(4) Failure to obtain a permit.
(5) Failure to secure inspections.
(6) Fraud or misrepresentation in the performance of services rendered or contracted.

Suspension or revocation of license shall be appealable to the City Council.

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24.6.43 Electrician Bond

(a) Each person applying for a certificate of registration as master electrician, as required by this article, before being granted a certificate, shall make and execute and deliver to the electrical inspector, a bond in the sum of two thousand dollars ($2,000) payable to the city. Such bond shall be executed by each applicant and be a recognized and responsible surety company authorized to do surety business in the state.

24.6.44 Approved Wiring Methods Reserved

24.6.45 Other Trades Performing Electrical Work Reserved

24.6.46 Plumbing Permit & Regulations

24.6.47 Class B Air-Conditioning Contractor License Required

(a) Except as provided by Article 8861 V.T.C.S., no person shall install, alter, or repair any heating, ventilating, air-conditioning or refrigeration system or systems of twenty-five tons or less (or on heating systems of less than 1.5 BTU's of heating capacity, or any part thereof, or obtain any permit to do such work without an active and valid license issued by the City

of Laredo, authorizing the performance of such work by the licensee, or employees of the licensee working under the direction and supervision of licensee.

(b) The applicant for a Class B Air-Conditioning Contractors license shall be not less than twenty-one years of age, with not less than three years of practical experience in the installation, repair, or alteration of heating, ventilating and air-conditioning systems. A degree in air-conditioning or mechanical engineering from an accredited college may be substituted for two years of experience.

(c) Application for licensing shall be made in the manner and on a form approved by the City of Laredo, subject to such fees as may be approved from time to time by the City Council. The license shall be valid for either one individual or one company. A license holder supplying his license for a sole proprietorship, joint venture, limited liability corporation, or other legal entity shall not supply that license to any other sole proprietorship, joint venture, limited liability corporation, or other legal entity.

(d) All persons licensed by the City of Laredo shall be required to pass a written test administered by the City of Laredo with a passing score of not less than 70%. Applicants who fail to pass the test shall not be eligible for reexamination for 90 days. Examination shall not be required to reinstate an expired license during 90 days following the date of expiration of such license.

(e) Suspension of license. Following notice and hearing before the Air-Conditioning Board, a license may be revoked or suspended for a period of not less than three months nor more than twelve months where an affirmative finding of the following is made:

1. Fraud or misrepresentation in obtaining a license or permit.
2. Failure to provide supervision of unlicensed employees
3. Failure to perform work in conformance with the conditions of a valid permit.
4. Failure to obtain a permit.
5. Failure to secure inspections.
6. Fraud or misrepresentation in the performance of services rendered or contracted.

Suspension or revocation of license shall be appealable to the City Council.

(f) Insurance. All licensed Class B air-conditioning contractors shall maintain, at his own expense, insurance coverage which requires written advance notice to the Building Official of not less than thirty (30) days of cancellation or material change in coverage and which meets or exceeds the following policy limits:

Comprehensive general liability $100,000 for death and bodily injury per occurrence $100,00 for property damage per occurrence.

The insurance shall be written by a carrier listed with a rating of A or A+ in the last published edition of *Best's Insurance Reports - Property Casualty Volume* (A.M. Best Company, Oldwich, N.J. 08858). Failure to maintain insurance prescribed by this code shall result in the automatic revocation of license.

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(g) Advertising. No person, partnership, firm, or corporation shall display a sign or advertise authorized heating, ventilating, or air-conditioning services unless licensed pursuant to V.T.C.S. 8861 or this code.

(h) All automobiles and trucks utilized in the work of installing altering, or repairing an air-conditioning system or systems, shall bear the name of the person, firm or company engaged in such business in legible letters of contrasting color and not less than two inches in height, and shall include the city license number (L.A.C.L.).

(i) The records of licensed contractors shall be available for inspection by authorized personnel of the City of Laredo during regular business hours.

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