

**ORDINANCE NO.**

**AN ORDINANCE WAIVING CITY CODE SECTION 25-2-945 TO ALLOW THE RELOCATION OF A NONCONFORMING OFF-PREMISE SIGN ORIGINALLY LOCATED ON OR NEAR RR 620 AND FM 2222.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** City Code Section 25-2-945 (*Abandonment of Nonconforming Use*) is waived with respect to the two off-premise signs at issue in *Reagan National Advertising of Austin, Inc. v. City of Austin*; Cause No. D-1-GN-10-003379, subject to the following limitations:

- A. The waiver is effective beginning on February 11, 2013, and continuing until August 12, 2013.
- B. While the waiver remains effective, Reagan National Advertising of Austin, Inc. (“Plaintiff”), or its agent, may file applications for relocation of the two original nonconforming off-premise signs at issue in *Reagan National Advertising of Austin, Inc. v. City of Austin*; Cause No. D-1-GN-10-003379, or two replacement signs. Such relocation shall be to a different tract.
- C. The replacement signs, like the original non-conforming off-premise signs, shall be one pole containing two 14 feet by 48 feet faces and a second pole containing two 12 feet by 25 feet faces. Plaintiff may elect to apply for relocation of signs with a differing number of faces or dimensions from the original non-conforming signs; however, the replacement signs shall not exceed the size and area of the original signs.
- D. The relocation applications are subject to all other requirements of city code, including but not limited to the requirements for relocation of off-premise signs under City Code Section 25-10-152(B)(5) (*Nonconforming Signs*).
- E. The waiver does not authorize installation of any sign on city property or vary any requirement of city code other than Section 25-2-945 (*Abandonment of Nonconforming Uses*), per the limitation stated above.

**PART 2.** This ordinance takes effect on \_\_\_\_\_, 2013.

**PASSED AND APPROVED**

\_\_\_\_\_, 2013      § \_\_\_\_\_  
   § \_\_\_\_\_  
   § \_\_\_\_\_

Lee Leffingwell  
Mayor

**APPROVED:** \_\_\_\_\_  
Karen M. Kennard  
City Attorney

**ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk

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