

INFORMATIONAL LETTER 0019-2009

ATTENTION GETTING DEVICES

Effective January 1, 2010

In November 2008, the City of Houston adopted a new section 28-37 prohibiting the use of attention-getting devices in the City of Houston. City Council determined that the extensive use and proliferation of such attention-getting devices within the City contributes to urban visual clutter and blight and adversely affects the aesthetic environment and the safety and quality of life for the community and the citizens of the city.

The new Section 28-37 (Ordinance # 2008-992) reads as follows:
Attention-getting devices.

- (a) As used in this section, *attention-getting devices* shall mean devices erected, placed or maintained outdoors so as to attract attention to any commercial business, or any goods, products or services available on the premises of a commercial business, including but not limited to the following devices: banners; cut out figures; discs; festooning, including tinsel, strings of ribbons, and pinwheels; inflatable objects, including balloons; non-governmental flags; pennants; propellers; steam- or smoke-producing devices; streamers; whirligigs; wind devices; blinking, rotating, moving, chasing, flashing, glaring, strobe, scintillating, search, flood or spot lights; or similar devices, any of which are located or employed in connection with the conduct of a commercial business. Attention-getting devices shall not include any structure or device that is permitted under the Houston Sign Code, Chapter 46 of the Building Code.
- (b) It shall be unlawful for any person to place, erect, maintain, or display any attention-getting device on any private or public property within the city. No attention-getting device shall be eligible for a permit under the Houston Sign Code.
- (c) Enforcement of this section shall be the duty of the Sign Administration Division of the Public Works and Engineering Department or any law enforcement officer.
- (d) Any person who shall violate any provision of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be punished by a fine of not less than \$300.00 and not more than \$500.00 for each violation. Each day in which any violation shall occur shall constitute a separate offense.
(Ord. No. 08-992, § 3, 11-12-08, eff. 1-1-2010)

The City of Houston Sign Administration Office is distributing this information to enlighten and educate the business community of this change that may affect the business premise. The prohibition of these devices went into effect on January 1, 2010.