



Chapter 28 – Sign Code Update Request Application

Send to: SignCodeReview@sanantonio.gov

Part 1. Applicant Information

Name: Peter Lund Organization (if applicable): Whispering Oaks HOA
Address: [REDACTED]
Phone: [REDACTED] Email: [REDACTED]
Signature: [REDACTED] Vice President Date: April 6, 2022
(Include title if representing a governmental agency or public/private organization)

Part 2. Reason(s) for Update (check all that apply)

- ☐ Modify procedures and standards for workability and administrative efficiency
☐ Eliminate unnecessary development costs
☐ Update the procedures and standards to reflect changes in the law or the state of the art technologies
☒ See Part 4 (if none of the provided choices in this section apply, please discuss the reasons for the proposed update in Part 4)

Part 3. Summary of Proposed Update with Suggested Text (see application instructions)

San Antonio is suffering a costly and unsightly outbreak of temporary nuisance signs posted by small businesses. Some trainings conducted by the real estate industry openly encourage home flippers to utilize illegal temporary signs because the penalty is rarely enforced by CoSA. Our organization incurs substantial costs removing a steady flow of disposable signs placed on both our HOA's private land and nearby public property. DSD also incurs substantial costs processing complaints and removing these signs as well, but the expense is bared almost entirely by the taxpayer, not the perpetrators. Local small businesses have a plethora of more cost-effective advertising alternatives available particularly via the internet, but the low-skill and low-cost appeal of temporary signs has resulted in a marked increase of their use in recent years as more businesses partake in a crime that has limited repercussions under the current code.

The current penalty is a weak deterrent because a fine is not mandatory, capped at just \$500, and fails to discourage aggressive repeat and prolific offenders. Therefore, we ask that the committee amend Section 28-9(b) to clearly establish a minimum mandatory fine for each violation. Fines should also increase for multiple violations cited within a reasonable period of time, however a cumulative maximum fine for aggressive violators could set. No remedy period should be allowed for these violations because the most prolific violators are aware of the law and operate at night to avoid detection. Draft follows:

28-9(b) Penalties. Any person violating any provision of this chapter shall be guilty of a misdemeanor and shall, upon conviction, be punished by a fine of not less than \$100 for up to 5 violations within a calendar year, and not less than \$500 for each subsequent violation within a calendar year not to exceed a cumulative maximum of \$10,000 per calendar year. No remedy period is provided for violations involving temporary signs.

Our review of the code does not find sufficient language to adequately define and deter the growing problem of temporary signs. If modification of section 28-9 creates conflict with other types of signage, we ask that specific clauses for temporary signage violations be added.