



AMBIENT AIR BALLOON APPLICATION

APPLICANT: _____

BUSINESS NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

(For City Use only)
CASE NO: AAB _____

Accepted by: _____

Date Received: _____

Receipt No. _____

Date Approved: _____

Date Denied: _____

SIGN COMPANY: _____

ADDRESS: _____

PHONE: _____

DATE BALLOON TO BE INSTALLED: _____

DATE BALLOON TO BE REMOVED: _____

NUMBER OF BALLOONS: _____

SIZE OF EACH: _____

MATERIAL USED: _____

* * * * *

INSTRUCTIONS TO APPLICANT:

Filing fee: \$75.00 for application plus \$200.00 for deposit.

(The deposit is refundable after the removal of the inflatable and cannot be carried over to another date or location. The deposit will be used to defray cost of removal upon any violation of City regulations. A "Demand Form" must be submitted for refund of the deposit each time within 30 days of the balloon's removal).

- Submit:
1. One folded site plan illustrating the locations of the balloon on the site.
 2. One elevation drawn to scale, showing the location of balloon on the building.
 3. One drawing or photograph of the balloon with a description of the balloon. Include the balloon material, attachment method and air source.

I have read the attached Ordinance 84-637 pertaining to inflatable balloons. I agree to comply with the requirements stated therein.

(signature)

(date)

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS AMENDING THE ZONING ORDINANCE, BY ADDING NEW PROVISIONS TO SECTION 924, ARTICLE XXXVIII. SIGNS, PERTAINING TO AMBIENT AIR BALLOONS AND SIMILAR INFLATABLES

The City Council of the City of San Marcos DOES ORDAIN as follows:

Section I. The San Marcos Municipal Code is hereby amended by adding new provisions to Section 924, Article XXXVIII of the Zoning Ordinance as follows:

APPENDIX A

ZONING ORDINANCE

ARTICLE XXXVIII

Section 924. Signs specifically allowed.

Nothing in these sign provisions shall be construed as limiting use of the following signs, except for reasons of Public Safety:

1. Government signs for traffic safety purposes or other public necessity such as road signs and safety beacons, erected by federal, state, or local agencies.
2. Public service time and temperature signs or clocks.
3. Holiday decorations that do not advertise a product service or establishment, for up to forty (40) days before a holiday and ten (10) days after.
4. Ambient air balloons and other similar inflatables shall be allowed only in commercial and industrial zones subject to compliance with the following provisions.
 - a) Such devices (ambient air balloons and other inflatables) shall be allowed for a period of not more than 14 calendar days within any one calendar year.
 - b) All such inflatables utilized within the City must first obtain the approval of the Building Director and the Director of Planning. Approval shall be obtained

by the submittal of an application and payment of required fees (to be established by the Director of Planning). The application shall be accompanied with a drawing, utilizing a site plan, specifying the location of the inflatable to be approved by the Planning and Building Departments with the specified dates of the set up and take down for all proposed inflatables. The time period allowed for such use shall be no longer than: up to 14 separate days in a calendar year or no more than a maximum of 14 consecutive days in a calendar year.

- c) All allowed inflatables specified by this section shall indicate the allowed height of all such inflatables. Additionally, all allowed inflatables shall be ground mounted or roof-mounted. The allowable height shall not exceed a height of thirty (30) feet, as measured from the point of anchor to the highest portion of the inflatable.
- d) The number of inflatables used for advertising purposes shall be restricted allowing for no more than three such inflatables at any one site during any allowed time period.
- e) The maximum allowable size of any inflatable allowed by this section shall be limited to no more than 1,500 square feet, as measured at the cross section of the inflatable(s) used.
- f. The permit process for the use of inflatables shall be an administrative action by the City. The permit must be reviewed by the Building and Planning Departments and must be accompanied by a cash deposit equal to four times the permit fee (deposited with the City) which would be used to defray cost of removal upon any default or violation of City regulations. The permittee must agree to allow, if necessary, for enforcement of this section, any City agent upon one

day notice to the permittee and to the property owner, the right to enter the premises to remove the inflatable display, provided there was a determined violation.

- g. The permittee or their agent shall specify the materials to be used for each inflatable installed. The Building and Planning Directors shall determine if the materials used will not fade, tear, rip or otherwise become unsightly during the period of the installation. If such determination cannot be made, then the City may not issue the requested permit. All structural materials and installation materials shall comply with the Building Director's specification and requirements.
- h) In addition to providing the information on the site plan, the locational information shall be a diagram drawn to scale indicating in a plan and elevation view, the inflatable to be used; the areas in which or on which the inflatables are located, as well as providing calculations of square footage of maximum cross section area and indicating the total number of lineal feet of devices suspended by wire in the air. The locations indicated on the permit and approved and issued on the permit may not change during the period of time for which the permit is issued.
- i) Any violation of the adopted regulation shall be subject to a default amount for each separate offense. Each day of violation or non-compliance with these regulations shall be deemed as a separate offense and subject to the penalties and payment of default amounts established by the City Council.

Section II: This ordinance shall take effect and be in force thirty (30) days after the date of its passage, and the City Clerk shall certify to the adoption of this ordinance and cause same to be published and posted in the manner required by law.

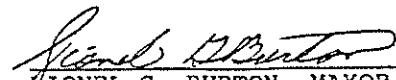
Ordinance 84-637
October 23, 1984
1701A

PASSED AND ADOPTED by the City Council of the City of San Marcos
at its regular meeting held on the 23rd day of October, 1984, by the
following roll call vote:

AYES: COUNCILMEMBERS: HARRIS, SIMMONS, SMITH, BURTON

NOES: COUNCILMEMBERS: NONE

ABSENT: COUNCILMEMBERS: THIBADEAU


LIONEL G. BURTON, MAYOR
CITY OF SAN MARCOS

ATTEST:


SHEILA A. KENNEDY, CITY CLERK

1701A