

ORDINANCE NO 4047-01-2014

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, AMENDING CHAPTER 11, SIGNS, OF THE LEWISVILLE CITY CODE, BY AMENDING THE REGULATIONS RELATED TO POLITICAL SIGNS, PROVIDING FOR A REPEALER, PROVIDING FOR SEVERABILITY, PROVIDING A PENALTY, PROVIDING AN EFFECTIVE DATE, AND DECLARING AN EMERGENCY

WHEREAS, the City Council of the City of Lewisville has determined that for the health, welfare and safety of its citizens certain amendments to the Lewisville City Code, Chapter 11, Signs, are necessary;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, THAT

SECTION 1 Chapter 11, section 11-13(e) of the Lewisville City Code is hereby amended by deleting the current language in its entirety and in its place inserting the following new language

(e) *Political signs*

(1) Definitions.

Political sign shall mean a sign that contains primarily a political message

Political message shall mean pertaining to any national, state, county or local election.

(2) A political sign shall not require a sign permit and is exempt from this chapter except for the following requirements

a. *Time*

- 1 Political signs located on private real property must be removed within 30 calendar days after the election is decided.
- 2 Except as otherwise provided herein, political signs located on property other than private real property may be erected no earlier than

60 calendar days before the election and must be removed no later than 30 calendar days after the election. The city may remove any political sign on property other than private real property remaining beyond 30 calendar days after the election, and a \$5 00 fee shall be charged for each sign retrieved from the city

- 3 Political signs permitted to be placed at a polling site pursuant to state law must be removed from the polling site within twenty-four (24) hours after the close of the polls on Election Day and within twenty-four (24) hours after the close of the early voting period.

b *Place*

- 1 Political signs may be placed on private real property with the consent of the property owner
- 2 Political signs may not be placed in roadway medians, but may be placed in the city parkway between the curb and property line provided they do not create a safety hazard of any type
- 3 Except as otherwise provided herein, political signs may not be placed on city-owned property such as city parks, fire stations, police stations, libraries, city hall, etc This restriction shall not apply to political signs that are attached to vehicles that are lawfully parked on city-owned property
- 4 Political signs permitted to be placed at a polling site pursuant to state law may be placed only in designated locations on city-owned property that are approved by the city council and only during the voting period or the early voting period. City staff shall provide a description of the approved locations for permitted electioneering pursuant to this subsection and state law
- 5 Political signs may not be placed in the state rights-of-way
- 6 Political signs shall not be installed in any manner that may result in a potential safety hazard of any type
- 7 These restrictions do not apply to existing billboard signs upon which political advertising may be placed.

c *Manner*

- 1 The signs shall not exceed 36 square feet aggregate total for any private lot.
- 2 A sign shall not exceed 36 square feet in city right-of-way
- 3 Political signs shall be in addition to any other sign allowed in this chapter
- 4 Political signs shall be kept in repair and proper state of preservation.
- 5 Political signs shall not be more than eight feet high.
- 6 Political signs shall not be illuminated.
- 7 Political signs shall not have any moving parts.

- 8 Political signs permitted to be placed at a polling site pursuant to state law shall not be larger than six (6) square feet (2' x 3') and must be placed in the ground attached to a stake that does not exceed a nine (9) gauge diameter (American Wire Gauge standard (AWG)) Said signs shall be placed into the ground well clear of tree roots, irrigation lines and any other underground vegetation or structures that could be damaged. Said signs shall not be attached, placed or otherwise affixed to any building, tree, shrub, pole or other improvement on public property
- 9 The city may remove and dispose of any political sign permitted to be placed at a polling site pursuant to state law that is in violation of this ordinance

SECTION 2 REPEALER. Every ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

SECTION 3. SEVERABILITY If any section, sentence, clause, or phrase of this ordinance shall for any reason be held to be invalid, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of this ordinance, but they shall remain in effect.

SECTION 4 PENALTY Any person, firm or corporation who violates any provisions of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereof in the Municipal Court, shall be subject to a fine of not more than \$500 00 for each offense, and each and every day such offense is continued shall constitute a new and separate offense

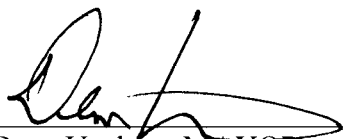
SECTION 5. EFFECTIVE DATE. This Ordinance shall take effect and be in full force and effect from and after the date of its passage and publication as required by law

SECTION 6. EMERGENCY It being for the public welfare that this Ordinance be passed creates an emergency and public necessity and the rule requiring this Ordinance be read on three separate occasions be, and the same is hereby, waived and this Ordinance shall be in full

force and effect from and after its passage and approval and publication, as the law in such cases provides.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LEWISVILLE, TEXAS, BY A VOTE OF 5 TO 0, ON THIS THE 27th DAY OF JANUARY, 2014

APPROVED



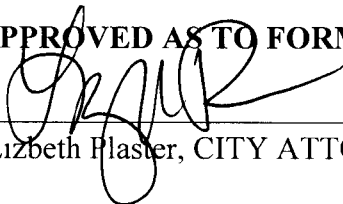
Dean Ueckert, MAYOR

ATTEST



Julie Heinze, CITY SECRETARY

APPROVED AS TO FORM.



Lizbeth Plaster, CITY ATTORNEY