

ORDINANCE NO. 3849

AN ORDINANCE OF THE CITY OF CARROLLTON, TEXAS AMENDING TITLE 15, CHAPTER 151, SECTION 151.50, REVISING AND AMENDING LANGUAGE RELATING TO THE PLACEMENT AND USE OF POLITICAL SIGNS; PROVIDING FOR A PENALTY, SEVERABILITY, AND SAVINGS CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, the City of Carrollton, Texas (the "City") is a Home Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter; and

WHEREAS, Section 54.004 of the Texas Local Government Code provides that a home rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

WHEREAS, the City Council desires to amend an ordinance which regulates political signs; and

WHEREAS, the City Council finds that it is necessary and proper for the good government and safety of the City to adopt regulations relating to the placement of political signs in order to provide for safe passage of pedestrian and vehicular traffic and protect the aesthetic quality of the community;

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

Section 1.

The above and foregoing premises are found to be true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2.

The Code of Ordinances of the City of Carrollton Title XV, Chapter 151, Sign Regulations, Section 151.50, Political Signs, is hereby amended, in its entirety, to read as follows:

"A permit shall not be required for political signs. Political signs must comply with all applicable sections of this code.

(A) Political signs located on private real property:

(1) Shall be placed with consent of the property owner;

- (2) Shall comply with the city's visibility ordinance;
- (3) Shall not exceed thirty-six (36) square feet in area nor eight feet (8') in height;
- (4) Shall not be illuminated; and
- (5) Shall not have moving elements.

(B) Political signs located on public property:

- (1) On Public Right-Of-Way. Subject to the provisions of this subsection, a political sign which refers only to an issue or candidate involved in a political election may be located within a public street right-of-way not more than ninety (90) days prior to the date of the election to which the sign relates, and must be removed not later than five (5) days following the date of the subject election. A political sign so placed in the public right-of-way shall:
 - (a) Be placed beyond the edge of the sidewalk furthest from the edge of the curb of the public street or, in rights-of-way where there is no sidewalk, at least ten feet (10') from the edge of the curb of the public street right-of-way;
 - (b) Not extend over any public sidewalk or path;
 - (c) Not exceed thirty-six (36) square feet in area nor eight feet (8') in height;
 - (d) Not be illuminated;
 - (e) Not have moving elements; and
 - (f) Not be placed within a street or roadway median, block vehicular visibility, or block access to or mobility on the sidewalk.
- (2) At Polling Places. A political sign may be located at a polling place owned by the city during the voting period not before the first day of early voting and must be removed not later than twenty-four (24) hours following the date of the election. A political sign so located at a polling place shall:
 - (a) Not be placed within one hundred feet (100') of an outside door through which a voter may enter the building in which a polling place is located;
 - (b) Not be placed in such a manner as to block vehicular visibility;
 - (c) Not extend over any public sidewalk or path;
 - (d) Not exceed thirty-six (36) square feet in area nor eight feet (8') in height;
 - (e) Not be illuminated;
 - (f) Not have moving elements; and
 - (g) Be placed at least ten feet (10') from the edge of the pavement of the public street right-of-way.
- (3) On Vehicles. A vehicle with a political sign attached to or placed upon it may be parked on public property, in a lawful parking place, provided that

such vehicle does not remain parked on public property in the same location or in the same vicinity, for more than twelve (12) hours during a twenty-four (24) hour time period. A political sign attached to or placed upon such a vehicle shall:

- (a) Not exceed thirty-six (36) square feet in area nor eight feet (8') in height;
 - (b) Not be illuminated; and
 - (c) Not have moving elements.
- (4) Prohibited Practices. No political sign may be placed at or on any public median, city park, city facility, or other public property.”

Section 3.

Any person, owner, occupant, firm or corporation violating a provision of this ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton Code of Ordinances as amended.

Section 4.

If any section, subsection, sentence, paragraph, clause, phrase, or provision in this Ordinance or application thereof to any person or circumstance, shall be adjudged invalid or held unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect. This ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 5.

Except as herein amended, Title XV, Chapter 151, otherwise known as Sign Regulations of the Carrollton Code of Ordinances, as amended, shall remain in full force and effect. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of said ordinances except in those instances where provisions of those ordinances are in direct conflict with the provisions of this Ordinance and such ordinances shall remain intact and are hereby ratified, verified, and affirmed.

Section 6.

That this ordinance shall become effective after its passage and approval by the City Council and its publication.

PASSED AND APPROVED this the 23rd day of January, 2018.

CITY OF CARROLLTON, TEXAS



Kevin W. Falconer
Mayor

ATTEST:



Laurie Garber
City Secretary

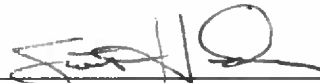


APPROVED AS TO FORM:



Meredith A. Ladd
City Attorney

APPROVED AS TO CONTENT:



Scott Hudson
Environmental Services Director