

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS**

**ORDINANCE NO. 2017-1457**

**AN ORDINANCE OF THE CITY OF COPPELL, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING CHAPTER 6 “BUSINESS REGULATIONS”, ARTICLE 6-15 “TEMPORARY SIGNS”, SECTION 6-15-2 “DEFINITIONS”; PROVIDING FOR A NEW DEFINITION FOR ‘PUBLIC PROPERTY’; BY AMENDING CHAPTER 6 “BUSINESS REGULATIONS”, ARTICLE 6-15 “TEMPORARY SIGNS”, SECTION 6-15-3 “NONCONFORMING SIGNS” TO “SIGNS” AND BY AMENDING SUBSECTION (A); BY AMENDING SECTION 6-15-4 “PERMIT PROCEDURES AND FEES”, BY ADDING SUBSECTION 4; BY ADDING TWO NEW SECTIONS 6-15-7 “POLITICAL SIGNS” AND 6-15-8 ‘SIGN ZONES” TO ARTICLE 6-15 “TEMPORARY SIGNS”; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Coppel Code of Ordinances provides regulations and standards for the erection and maintenance of temporary private signs;

**WHEREAS**, the City of Coppel desires to add the definition of ‘Public Property’ to the Code of Ordinances; and

**WHEREAS**, the City of Coppel finds that the signs regulations should be updated and further defined so as to protect the public health, safety, and general welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS:**

**SECTION 1.** That Chapter 6, Business Regulations, Article 6-15, Temporary Signs, Section 6-15-2 Definitions of the Coppel Code of Ordinances, is hereby amended to add a definition of “Public Property”, which shall herein read as follows:

**“CHAPTER 6 - BUSINESS REGULATIONS  
ARTICLE 6-15. TEMPORARY SIGNS**

....

**Sec. 6-15-2- Definitions.**

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*Public Property* means any property owned or under the control of the City of Coppel Texas, including but not limited, Town Center, Town Center Annex, all public parks, City Service Center, Municipal Court and Police Complex, Fire

Stations, performing arts center, old Town Square and any other right-of-way, easement or licensed premises.

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**SECTION 2.** That Chapter 6, Business Regulations, Article 6-15, Temporary Signs, Section 6-15-3 Nonconforming Signs of the Coppell Code of Ordinances, is hereby amended, which shall herein read as follows:

**“CHAPTER 6 – BUSINESS REGULATIONS  
ARTICLE 6-15. TEMPORARY SIGNS**

.....

**Sec. 6-15-3. Signs**

It is declared purpose of this section that in time all temporary signs shall either conform to the provisions of this section or be removed. By the passage of this ordinance and its amendments, no presently illegal sign shall be deemed to have legalized unless such sign complies with all current standards under the terms of this article and all other ordinances of the city. Any sign which does not conform to all provisions of this article shall be a prohibited sign.

- (A) No person may place, erect, or otherwise maintain any sign, as defined herein, either prior to or after the adoption of this ordinance, except as permitted in this article or under the Chapter 12, and, on any private property such sign in violation of this article, same shall be construed as a public nuisance and the city may, without notice, remove and destroy any such sign, except as provided herein.
- (B) *Public Property*: no person may cause, permit, suffer or allow any sign, as defined herein, except as permitted in this article on any public property and, such signs shall be constructed.

.....”

**SECTION 3.** That Chapter 6, Business Regulations, Article 6-15, Temporary Signs, Section 6-15-4. Permit procedures and fees of the Coppell Code of Ordinances, is hereby amended, which shall herein read as follows:

**“CHAPTER 6 – BUSINESS REGULATIONS  
ARTICLE 6-15. TEMPORARY SIGNS**

.....

**Sec. 6-15-4. Permit procedures and fees.**

1. *Permits*: No person shall erect, construct, relocate, alter, or repair any on premise or off-premise on any property except as authorized or permitted under this Article. All signs permitted under this article shall not be placed, erected or maintained unless a permit is issued in accordance with this chapter, except as otherwise provided in this section. This section does not apply to government signs.

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4. Any permanent sign placed, erected or maintained are exempt from this Article.

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**SECTION 4.** That Chapter 6, Business Regulations, Article 6-15, Temporary Signs, Section 6-15-7. Provisions for temporary off-premises signs of the Coppell Code of Ordinances, is hereby added, which shall herein read as follows:

**“CHAPTER 6 – BUSINESS REGULATIONS  
ARTICLE 6-15. TEMPORARY SIGNS**

.....

**Sec. 6-15-7. Political Signs and Polling Places**

1. *Political signs*:

- (A) Political signs on private property are exempt from the provisions of this article if it:
  - i. Does not have an effective area greater than 36 square feet;
  - ii. Is eight feet or less in height;
  - iii. Is not illuminated; or
  - iv. Does not have any moving elements.
- (B) *Real estate signs*: Real estate agents or homeowners may erect on private or public right-of-way, as measured and configured in accordance with Figure 1\* hereof, temporary off-premises signs which are only directional and only refer to open houses within the city. Signs may contain only a directional arrow and the words “OPEN HOUSE”. Such signs shall be erected only between the hours of 6:00 p.m. Thursday and 10:00 p.m. Sunday. Signs shall not exceed two square feet in effective area or 36 inches in height, as measured from grade. Signs may be placed within the public right-of-way provided that they do not project out over the street or sidewalk. Signs must be placed within a sign zone described by section 6-15-8, Sign Zone, of this article, if such a sign zone is available at the location. No sign shall be allowed within any street median or attached to any tree, public utility pole, street sign, traffic control sign or devise or other sign. No permit or fee is required.

2. *Electioneering at polling locations.*

- (A) *Definitions.* The following words and phrases as used in this article shall have the meanings as set forth in this section:

*Electioneering* shall mean the posting, use, or distribution of political signs or literature, including the use of tents, chairs, booths, tables or other furniture or devices to post, use or distribute political signs or literature.

*Voting period* shall mean the period each day beginning the hour the polls are open for voting and ending when the polls close or the last voter has voted, whichever is later on Election Day and early voting days.

i. *Regulations and exceptions.*

- a. The following regulations apply to electioneering on the premises of public property during the voting period:
  1. It is an offense for any person to engage in electioneering on driveways of the premises of a polling location. This restriction shall not apply to electioneering signs that are attached to vehicles that are lawfully parked at the premises of a polling location.
  2. It is an offense for any person to attach, place or otherwise affix any electioneering sign, literature or material to any building, tree, shrub, pole or other improvement on public property used as a polling location.
  3. It is an offense for any person to place any electioneering sign or literature within 25 feet of the public road way adjacent to the public property where a polling location is located.
  4. It is an offense for any person to place an electioneering sign on the premises that exceeds 36 square feet and is more than eight feet in height, including any supporting poles.
  5. In addition to imposing any criminal penalty, electioneering sign(s) located in violation of this section may be removed and disposed of by the entity in control of the public property.
  6. The authority to conduct electioneering on public property under this article is limited to the property on the premises where the voting is conducted only for the voting period.

**SECTION 5.** That Chapter 6, Business Regulations, Article 6-15, Temporary Signs, Section 6-15-8. Sign zones of the Coppell Code of Ordinances, is hereby added, which shall herein read as follows:

**“CHAPTER 6 – BUSINESS REGULATIONS  
ARTICLE 6-15. TEMPORARY SIGNS**

.....

**Sec. 6-15-8. Sign zones**

- (A) *Now hiring signs:* Businesses may erect one temporary off-premises sign which lists the business name and “Now Hiring” in black lettering on a white background. Such signs shall:
- i. Be located along the nearest thoroughfare as indicated on the most recently approved City of Coppell Major Thoroughfare Plan.
  - ii. Not exceed 18-inches x 24-inches in total sign panel area.
- (B) *Illegal signs:* All signs not authorized by this article shall be removed by the city manager or designee, and shall impose a fee established by resolution of the city council, for such removal.

**SECTION 6.** That all provisions of the Code of Ordinances of the City of Coppell, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 7.** That should any word, phrase, paragraph, section or phrase of this ordinance or of the Code of Ordinances, as amended hereby, be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be unconstitutional, illegal or invalid, and shall not affect the validity of the Code of Ordinances as a whole.

**SECTION 8.** An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

**SECTION 9.** That any person, firm or corporation violating any of the provisions or terms of this ordinance or of the Code of Ordinances, as amended hereby, shall be guilty of a misdemeanor and upon conviction in the Municipal Court of the City of Coppell, Texas, shall be subjected to a fine not to exceed the sum of Two Thousand Dollars (\$2,000.00) for each offense; and each and every day such violation is continued shall be deemed to constitute a separate offense.

**SECTION 10.** That this ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and charter in such cases provide.

**DULY PASSED** by the City Council of the City of Coppell, Texas, this the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

APPROVED:

\_\_\_\_\_  
KAREN SELBO HUNT

ATTEST:

\_\_\_\_\_  
CHRISTEL PETTINOS, CITY SECRETARY

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY

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CHRISTEL PETTINOS, CITY SECRETARY