

**ORDINANCE NO. 2024-06-007-013**

**AN ORDINANCE OF THE CITY OF WHITE SETTLEMENT, TEXAS, AMENDING ORDINANCE 2021-09-020 BY AMENDING SECTION 107.5 “SPECIAL SIGN TYPES” OF THE CODE OF ORDINANCES AND SECTION 107.7 “TEMPORARY SIGNS CHART” REGULATING POLITICAL SIGNS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY FOR VIOLATIONS HEREOF; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of White Settlement, Texas (the “City”) is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

**WHEREAS**, the City previously adopted its political sign regulations contained in Chapter 107 of the Code of Ordinances by adoption of Ordinance 2021-09-020; and

**WHEREAS**, the City Council desires to make amendments to the sign regulations as described herein; and

**WHEREAS**, the City Council deems it to be in the interest of the public health, safety and general welfare of the citizens of the City to amend the provisions of Chapter 107 regarding political signs.

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

**SECTION 1.**

That Section 107-5 “Special Sign Types” of the Code of Ordinances of the City of White Settlement, Texas, is hereby amended by adding a new subsection 107-5 (f) to read as follows:

**Section 107-5 Special Sign Types**

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“(f) Political signs.

(1) Private property. Political signs shall be permitted on private property only with the consent of the owner and provided the signs

- a) Are not placed in a public right-of-way, utility easement, or other encumbrance that allows a municipality to use the property for a public purpose;
- b) Are not installed in any manner that may result in a potential safety hazard of any type;
- c) Are not placed in visibility triangles as defined in the subdivision ordinance of the City;
- d) Do not have an effective area greater than thirty-six (36) square feet;
- e) Do not exceed eight (8) feet in height;
- f) Are not illuminated;
- g) Do not contain any moving elements;
- h) Are erected no earlier than thirty (30) days before the date of the election for which the sign is designated; and
- i) Are removed within twenty-four (24) hours after completion of the election in question. In the case of a run-off election, signs advertising those candidates in the run-off election may be continued to be displayed during the interim period, but must be removed within twenty-four (24) hours after the run-off election.

(2) Public property. Except as permitted by subsection (3) below, political signs shall not be located on city-owned property such as parks, fire stations, police stations, city hall and other city-owned buildings. Political signs may not be placed in state highway right-of-way situated within the City. Signs located in violation of this subsection and subsection 3 below may be removed by the entity in control of the public property.

(3) Polling places. Political signs including those with messages on both sides of the sign, shall be permitted on public property during the time the public property is used as an election polling location provided the signs:

- a) Are not located within 100 feet of an outside door through which a voter may enter the building of a polling location or such other distance as required by the Texas Election Code;
- b) Do not have an effective area greater than four (4) square feet;
- c) Are not more than two (2) feet in height;
- d) Are posted only during the period beginning the first day the polls are open for voting and ending 24 hours after the polls close or the last voter has voted on election day;
- e) Do not block or obscure other signs;

- f) Are not placed within ten feet of driveways of a polling location;
- g) Are not installed in any manner that may result in a potential safety hazard of any type;
- h) Are on individual posts, stakes, or holders placed into the ground or are attached to vehicles lawfully parked at the premises of a polling location;
- i) Are not illuminated and do not have any moving elements;
- j) Are not attached, placed or affixed to any building, tree, shrub, planting or landscaping areas, parking areas, driveways on medians with parking areas, pole, fence or other improvement on the public property used as a polling location; and

## **SECTION 2.**

That Section 107-7 “Temporary Signs Chart” of the Code of Ordinances of the City of White Settlement, Texas, is hereby amended to read as provided in attached Exhibit “A”.

## **SECTION 3.**

That this ordinance shall be cumulative of all other ordinances of the City of White Settlement and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

## **SECTION 4.**

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

## **SECTION 5.**

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

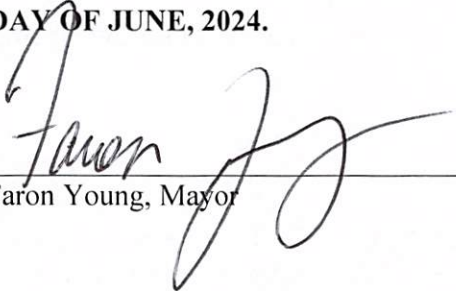
**SECTION 6.**

The City Secretary of the City of White Settlement is hereby directed to publish caption, penalty clause, and effective date clause in the official newspaper as/if required by law.

**SECTION 7.**

This Ordinance shall be in full force and effect from and after its passage, and it is so ordained.

**PASSED AND APPROVED ON THIS 4<sup>th</sup> DAY OF JUNE, 2024.**

  
Faron Young, Mayor

ATTEST:

  
Amy Arnold, City Secretary



**EXHIBIT A**

“Section 107 – 7 Temporary Sign Chart.

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Type of Sign	Permit Required	Districts Permitted	Maximum Area	Maximum Height	Time Limit	Requirements
Political sign on Private Property	No	All	36 square feet	8 feet	No earlier than 30 days before the date of the election for which the sign is designated and shall be removed within twenty-four (24) hours after completion of the election in question.	All political signs must meet the requirements of Section 107-5(f).  See section 107-5(f) for a complete listing.
Political Sign at Polling Location	No	All	4 square feet	2 feet	Except as permitted below, political signs shall not be located on city-owned (public) property.  Political signs may be placed on the premises of a public building designated as an official polling place on a designated election day or during designated early voting periods and shall be removed within twenty-four (24) hours after completion of the election in question.	All political signs must meet the requirements of Section 107-5(f).  No more than 20 signs per candidate, pro-position, or political committee shall be placed at the polling place no earlier than 24 hours prior to the voting period and removed within twenty-four (24) hours after completion of the election in question.