

**ORDINANCE NO. 3904-11-2011**

**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 thirty (30) calendar days after the election is decided.
  2. Political signs located on property other than private real property may be erected no earlier than sixty (60) calendar days before the election and must be removed no later than thirty (30) calendar days after the election. The city may remove any political sign on property other than private real property remaining beyond thirty (30) calendar days after the election, and a five (5) dollar fee shall be charged for each sign retrieved from the city.
- 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. Political signs may not be placed on city-owned property such as city parks, fire stations, police stations, libraries, city hall, etc.
  4. Political signs may not be placed in the state rights-of-way.
  5. Political signs shall not be installed in any manner that may result in a potential safety hazard of any type.
  6. 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 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.

**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 4 TO 0, ON THIS THE 7TH DAY OF NOVEMBER, 2011.**

**APPROVED:**

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Dean Ueckert, MAYOR

**ATTEST:**

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Julie Heinze, CITY SECRETARY

**APPROVED AS TO FORM:**

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Lizbeth Plaster, CITY ATTORNEY