

An Ordinance of the City of Plano, Texas amending Section 6-491(2), Political signs/noncommercial purpose signs, of Division 3, Permitted Signs, of Article XII, Temporary Signs, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano, to amend regulations for political signs/noncommercial purpose signs at publicly owned active polling locations; and providing a repealer clause, a severability clause, a savings clause, a penalty clause, a publication clause and an effective date.

WHEREAS, the City Council adopted Ordinance No. 2014-2-11 on February 24, 2014 amending Section 6-491, Political signs/noncommercial purpose signs, of Division 3, Permitted Signs, of Article XII, Temporary Signs, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano; and

WHEREAS, staff receives many complaints from residents about the proliferation of political signs at active polling places; and

WHEREAS, a great proliferation of signs may distract drivers; and

WHEREAS, excessive signage is inconsistent with aesthetic standards the community expects in the City of Plano; and

WHEREAS, staff recommends further amending Section 6-491(2), Political signs/noncommercial purpose signs, of Division 3, Permitted Signs, of Article XII, Temporary Signs, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano to address the proliferation of signs at polling places on public property for aesthetic purposes and for health and safety purposes; and

WHEREAS, after consideration of the recommendation of staff and all matters attendant and related thereto, the City Council is of the opinion that it is in the best interest of the City and its citizens to amend Section 6-491(2), Political signs/noncommercial purpose signs, of Division 3, Permitted Signs, of, Article XII, Temporary Signs, of Chapter 6, Buildings and Building Regulations, of the Code of Ordinances of the City of Plano.

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

Section I. Section 6-491(2) of the Code of Ordinances of the City of Plano addressing regulations for political signs/noncommercial purpose signs at publicly owned active polling locations is amended as follows:

“Sec. 6-491. Political signs/noncommercial purpose signs.

- (2) Notwithstanding Section 6-487(7) herein and pursuant to Section 61.003 of the Texas Election Code, political and noncommercial signs are prohibited on public property except as follows:

- (a) Except where otherwise prohibited by state law or this Article, political and noncommercial signs may be placed on City owned or controlled property being used as an active polling place only as follows:
- (1) No more than five (5) signs per candidate, committee, issue, proposition or measure may be placed at each active polling place; and
 - (2) No sign shall exceed four (4) square feet in size; and
 - (3) Signs shall be setback from a demarcated area as designated by The Chief Building Official or his/her designee. The setback shall be approximately eight (8) feet from the property lines of the active polling location except where the Chief Building Official modifies the distance requirement to prevent obstruction of ingress and egress; and
 - (4) Signs may be displayed at active polling places no earlier than one (1) day prior to the first day of voting at each polling place and must be removed within three (3) days following the last day of voting at each polling place for each primary, general and special election; and
 - (5) Signs are prohibited in the rights-of-way at all times.
- (b) City staff may remove and dispose of any sign placed on public property or within the rights-of-way in violation of this Section.”

Section II. All provisions of the Code of Ordinances of the City of Plano, codified or uncoded, in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Code of Ordinances of the City of Plano, codified or uncoded, not in conflict with the provisions of this Ordinance shall remain in full force and effect.

Section III. 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, or section of this Ordinance shall be declared unconstitutional or invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining phrase, clause, sentence, paragraph or section of this Ordinance.

Section IV. The repeal of any Ordinance or part of Ordinances effectuated by the enactment of this Ordinance shall not be construed as abandoning any action now pending under or by virtue of such Ordinance or as discontinuing, abating, modifying or altering any penalty accruing or to accrue, or as affecting any rights of the municipality under any section or provisions at the time of passage of this ordinance.

Section V. Any violation of the provisions or terms of this ordinance by any person, firm or corporation shall be a misdemeanor offense and shall be subject to a fine in accordance with Section 1-4(b) of the City Code of Ordinances for each offense. Every day a violation continues shall constitute a separate offense.

Section VI. This Ordinance shall become effective immediately upon its passage and publication as required by law.

DULY PASSED AND APPROVED this the 27th day of September, 2021.

John B. Muns, MAYOR

ATTEST:

Lisa C. Henderson, CITY SECRETARY

APPROVED AS TO FORM:

Paige Mims, CITY ATTORNEY