

**ORDINANCE NUMBER 19-06-1130**

**AN ORDINANCE OF THE CITY OF MURPHY, TEXAS, AMENDING ARTICLE 26.02 (SIGNS) OF CHAPTER 26 (DEVELOPMENT STANDARDS) TO AMEND SECTION 26.02.012 (POLITICAL SIGNS) AND REPLACE SAID SECTION TO ALLOW SUCH SIGNS IN LIMITED CIRCUMSTANCES; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/REPEALING CLAUSE; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City is a home rule municipality organized under the Constitution and the laws of the State of Texas; and

**WHEREAS**, as a home rule municipality, the City may license, regulate, control or prohibit the erection of signs by charter or by ordinance (Local Government Code Section 216.901); and

**WHEREAS**, the City Council desires to enact regulations further addressing the placement of political signs on city-owned property which are compatible with regulations at other polling locations that have been enacted by Collin College and Plano Independent School District; and

**WHEREAS**, Texas Election Code Sections 61.003 and 85.036 authorize an entity (such as the City) who owns or controls a public building being used as a polling place to enact reasonable regulations concerning the time, place and manner of electioneering (which includes the posting, use or distribution of political signs); and

**WHEREAS**, the City Council finds it to be advantageous, beneficial, and in the public interest to amend the Code of Ordinances to adopt regulations governing the placement and regulation of political signs on city-owned property; and

**WHEREAS**, the City Council has investigated and finds that these amendments provide reasonable regulation of the placement and use of political signs on city-owned property.

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

**SECTION 1. Incorporation of Premises.**

The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

**SECTION 2. Amendment.**

That Section 26.02.012 "Political Signs" Subsection (1)(H) of Article 26.02 "Signs" of Chapter 26 "Development Standards" of the Code of Ordinances of the City of Murphy, Texas is hereby amended and shall read in its entirety as follows:

**Chapter 26. Development Standards**  
**Article 26.02. Signs**

**Sec. 26.02.012 Political Signs**

(1)

(H) Being placed on city-owned property except when placed in compliance with the following restrictions:

(i) Along the north entrance of the Murphy Community Center. Signs may be placed on the north side of the driveway at that location beginning ten (10) days prior to the first day of early voting. The sign placement area shall be between the drive area and the right-of-way at Murphy Road on the north side of the driveway.

(ii) The total of five signs per candidate is the limit regardless of whether the signs are from the candidate's campaign, a political action committee, or other interest group.

(iii) A sign that endorses multiple candidates is counted as one of the five signs for each candidate.

(iv) Issues-based campaign signs are limited to five signs per political action committee per issue, either supporting or opposing the issue.

(v) Signs are limited to sizes not to exceed 2' x 2' and must either be hand-held or staked into the ground. T-posts are not allowed.

(vi) On election day, candidates and/or supporters may place campaign signs in the parking area west of the Murphy Community Center, as long as the signs are placed outside the mandated election boundary lines; see **Exhibit A** (for non-presidential years) and **Exhibit B** (for presidential years). Any sign placed in accordance with this provision may not be placed before 6:00am on the election day and must be removed by 8:00pm on the same day.

**SECTION 3. Penalty.**

Any person, firm or corporation violating any term or provision of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be subject to a penalty of fine not to exceed the amount of Five Hundred Dollars (\$500) for each offense. Every day a violation continues shall constitute a separate offense.

**SECTION 4. Severability.**

It is the intention of 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 deemed unconstitutional or invalid by any judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any other remaining section, paragraph, sentence, clause or portion of this ordinance or any other provision of the Code of Ordinances of the City of Murphy.

**SECTION 5. Savings and Repealer.**

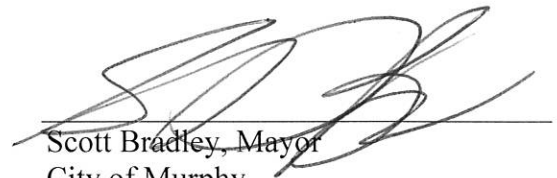
The City of Murphy's Code of Ordinances shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed or amended ordinance, nor shall the repeal or amendment prevent a prosecution from being commenced for any violation if occurring prior to the repeal or amendment of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

**SECTION 6. Publication and Effective Date.**


This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law provides.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Murphy, Texas, on the 18<sup>th</sup> day of June 2019.




  
\_\_\_\_\_  
Scott Bradley, Mayor  
City of Murphy

**ATTEST:**

  
\_\_\_\_\_  
Susie Quinn, City Secretary  
City of Murphy

**APPROVED AS TO FORM AND LEGALITY:**

  
for \_\_\_\_\_  
Wm. Andrew Messer, City Attorney