

PUBLIC ELECTION SIGNAGE WITHIN THE CITY OF PEARLAND

Attached for your convenience are copies of Section 4.2.5.9 (b) (9) (Attachment "A") of the City of Pearland Unified Development Code and Section 216.903 (Attachment "B") of the Local Government Code, which govern public election signage within the City of Pearland. This information is being provided in order to assist your campaign efforts during the upcoming election season by ensuring all public election signage throughout the community complies with regulations that are adopted by the State of Texas and the City of Pearland.

Please note that Section 216.903 (Attachment "B") of the Local Government Code entails legislation that supersedes certain elements of Section 4.2.5.9 (Attachment "A") of the City of Pearland Unified Development Code. Specifically, the legislation allows for the larger sign face and increased sign height. Summarized below is the significant information from both sets of regulations and should be utilized as your reference. Also attached is a sketch (Public Election Sign Placement) depicting proper placement of said public election signage.

Please be aware that it is your responsibility to ensure public election signage complies with adopted regulations. The City of Pearland will be removing all signage determined to be in violation (including improper placement). Candidates will be notified of any removed and provided an opportunity to reclaim and appropriately repost any signage so removed.

Sunmap

The City of Pearland will not require permits for signs erected solely for and relating to a political election when:

- The sign is located on private property with permission of the real property owner (not allowed within public right-of-way). If a political sign is erected for a period of time that exceeds that allowed by City ordinance, the City will require written permission of the property owner allowing placement of the sign;
- The area of the sign does not exceed thirty-six (36) square feet;
- The height of the sign does not exceed eight feet (8');
- The sign is self-supporting;
- The sign is not illuminated; and
- The sign does not have any moving elements.

Attachment "A"

such sign may be removed at the expense of the permittee. The Building Official may cause any sign that is an immediate peril to persons or property to be removed summarily and without notice.

Section 4.2.5.8 Signs on Utility Poles

- (a) Placement of Signs on Utility Poles Prohibited. It is unlawful for any person to attach or cause to be attached any advertisement, handbill, circular, poster or piece of paper to any public utility pole located within the City.
- (b) Authority to Remove. The Planning Director or his/her designee shall have the authority to remove any advertisement, handbill, circular, poster or piece of paper attached to any public utility pole within the City.

Ord. No. 2000T-3. Section 4.2.5.8, July 9, 2007

Section 4.8.5.9 General Exemptions

- (a) Generally. Notwithstanding any other provision in this UDC to the contrary, the following signs shall be exempt from all sign requirements contained in the UDC except for location restrictions, unless modified below, and any requirement for the sign specifically listed herein.
- (b) Exemptions.
 - (1) Warning/Safety Signs. Signs that have as their sole purpose the protection of life or property, including without limitation emergency exit, fire lane, or no trespassing, are allowed so long as no **advertising** whatsoever is contained thereon and they do not exceed two square feet (2 ft²) in size.
 - (2) Utility Location Signs. Signs erected by a governmental entity or private utility company to mark the location of utility transmission lines or similar facilities are allowed so long as no advertising whatsoever is contained thereon and they do not exceed two square feet (2 V) in size.
 - (3) On-site directional and informational signs not exceeding two square feet (2 ft') in size.
 - (4) Historical/Memorial Signs. On-premise attached or ground signs that commemorate a person, event, or structure are allowed so long as no advertising whatsoever is contained thereon and they do not exceed eight square feet (8 ft') in size.
 - (5) Vehicle for Sale Signs. Signs placed on motorized vehicles advertising them for sale are allowed so long as no other advertising whatsoever is contained thereon and they do not exceed two square feet (2 ft') in size or four signs per vehicle.
 - (6) Outdoor Merchandise Display Signs. Signs affixed to outdoor equipment or machinery such as vending machines or gasoline pumps with instructions for use, or signs located immediately adjacent to merchandise displayed for sale outdoors, are allowed so long as no other advertising whatsoever is contained thereon and they do not exceed one square foot (1 ft²) in size.
 - (7) Human Signs. Signs carried or wholly supported by humans are allowed so long as they do not exceed thirty-two square feet (32 ft') in size.
 - (8) Flags. The official flags of any governmental entity are allowed so long as the flag pole is no greater than thirty-five feet (35') in height if mounted on the

ground, or twelve feet (12') in height if mounted on top of a building, and the flag does not exceed one hundred square feet (100 ²) in size.

- (9) Unlit Political Signs. Political signs that are not lighted are allowed provided they do not exceed eight feet (8') in height or thirty-six square feet (36 ft²) in area.
- (10) Signs facing the interior of athletic stadiums or fields or facing the exterior of athletic stadiums or fields operated by nonprofit organizations or governmental entities.

Ord. No. 2000T-3, Section 4.2.5.9, July 9, 2007.

Ord. No. 2000T-12, Section 4.2.5.9, June 28, 2010.

Ord. No. 2000T-13, Section 4.2.5.9, October 24, 2011.

Division 6 - Manufactured/Mobile Home Parks & Recreational Vehicle Parks

Section 4.2.6.1 Applicability

- (a) This division is applicable in the City limits and in the ex-territorial jurisdiction of the City.

Section 4.2.6.2 Site Design Requirements

- (a) Site Requirements. Any mobile home or manufactured housing park constructed after the effective date of the ordinance from which this section derives and for any extension or addition to any existing mobile home or manufactured housing park shall be done in compliance with the following site requirements:

- (1) Location A mobile home or manufactured housing park within the City limits shall be located only on sites having the applicable zoning classification as defined in Chapter 2 pertaining to zoning.
- (2) Minimum Requirements
 - a. Space Requirements - Each mobile home or manufactured home space shall provide a minimum area of 3,200 square feet. No mobile home or manufactured home space shall have dimensions less than forty feet (40') on the narrow dimension or eighty feet (80') on the long dimension.
 - b. Open Space Requirements
 - 1. The minimum front yard setback shall be ten feet from the nearest corner of the mobile home or manufactured home to the front line of the mobile home or manufactured home space.
 - 2. No mobile home or manufactured home shall be closer than five feet to any end lot line nor closer than ten feet (10') to the lot line adjoining a public street.
 - 3. For other structures on each space, the minimum front yard setback shall be at least ten feet.
 - 4. The minimum distances between mobile homes shall be ten feet end-to-end and twenty feet (20') side-to-side.

Attachment "B"

AN ACT

relating to the regulation of political signs by a municipality.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter Z, Chapter 216, Local Government Code, is amended by adding Section 216.903 to read as follows:

Sec. 216.903. REGULATION OF POLITICAL SIGNS BY MUNICIPALITY. (a) In this section, "private real property" does not include real property subject to an easement or other encumbrance that allows a municipality to use the property for a public purpose.

(b) A municipal charter provision or ordinance that regulates signs may not, for a sign that contains primarily a political message and that is located on private real property with the consent of the property owner:

(1) prohibit the sign from being placed;

(2) require a permit or approval of the municipality or impose a fee for the sign to be placed;

(3) restrict the size of the sign; or

(4) provide for a charge for the removal of a political sign that is greater than the charge for removal of other signs regulated by ordinance.

(c) Subsection (b) does not apply to a sign, including a billboard, that contains primarily a political message on a temporary basis and that is generally available for rent or purchase to carry commercial advertising or other messages that are not primarily political.

(d) Subsection (b) does not apply to a sign that:

(1) has an effective area greater than 36 feet:

(2) is more than eight feet high;

(3) is illuminated; or

(4) has any moving elements.

SECTION 2. This Act takes effect September 1, 2003.

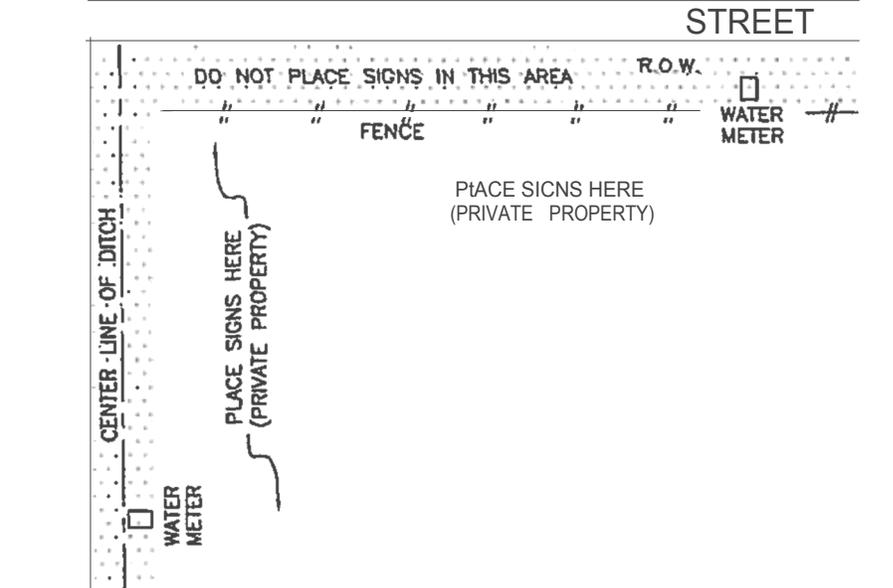
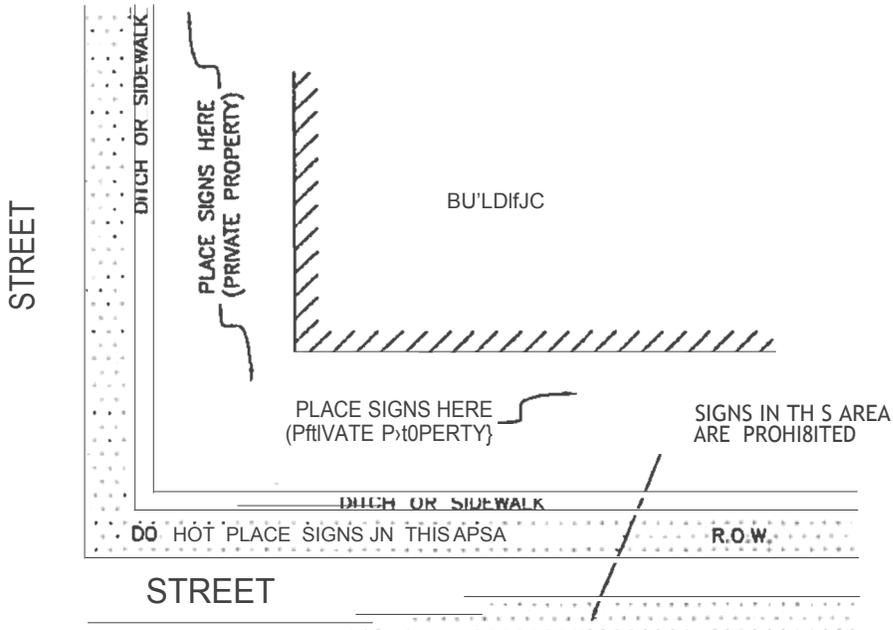
President of the Senate

Speaker of the House

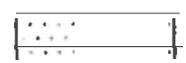
I certify that H.B. No. 212 was passed by the House on March 18, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 212 on May 18, 2003, by a non-record vote.

Chief Clerk of the House

PUBMC ELECTION SIGN PLACEMENT



- NOTES:
 If you could not determine the right-of-way (R.O.W.) use the following as guide.
 Sign may not be in front of the following:
- sidewalk
 - water meter
 - ditch
 - fence
 - overhead utility lines



DO NOT PLACE SIGNS IN THIS AREA (CONSIDERED TO BE R.O.W.)