

ORDINANCE NO. 2021-09-020

**AN ORDINANCE OF THE CITY OF WHITE SETTLEMENT, TEXAS, AMENDING CHAPTER 107 “SIGN REGULATIONS” OF THE CODE OF ORDINANCES, CITY OF WHITE SETTLEMENT, TEXAS BY AMENDING SECTION 107-1 “PURPOSE” AND SECTION 107-7 “TEMPORARY SIGNS CHART”; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE, PROVIDING A PUBLICATION CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of White Settlement 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 Council has previously adopted sign regulations; and

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

**WHEREAS**, the City Council deems it necessary to adopt this Ordinance in order to protect the health, safety, welfare, convenience and enjoyment of the general public.

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

**SECTION 1.**

Section 107-1 “Purpose” of Chapter 107 “Sign Regulations” of the Code of Ordinances, City of White Settlement, Texas, is hereby amended by adding a new subsection 107-1(b) to read as follows:

**Sec. 107-1. - Purpose.**

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- (b) Any sign authorized in this chapter is allowed to contain a noncommercial message in place of any other authorized commercial or noncommercial message without an additional permit or approval.

**SECTION 2.**

Section 107-7 “Temporary signs chart” of Chapter 107 “Sign Regulations” of the Code of Ordinances, City of White Settlement, Texas, is hereby amended by revising the regulations for political signs to read as follows:

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Type of Sign	Permit Required	Districts Permitted	Maximum Area	Maximum Height	Time Limit	Requirements
Political	No	All	Portable signs shall not exceed 80 square feet and shall not be more than 8 feet in height as measured from the surface of the ground. Political signs at polling location(s) shall not utilize any stake more than 10 inches in height or 1 inch in diameter.	8 feet	At polling location: No earlier than 14 hours prior to or no later than 24 hours after voting period. At locations other than polling locations: No earlier than 30 days prior to the voting period and no later than 24 hours after voting period.	On private property not on R.O.W., park property, or city owned property (other than polling location as listed herein). No lighting. Removed 24 hours after election. Signs no larger than 2 feet by 2 feet may be placed in the R.O.W. at the polling place 14 hours prior to voting period. No more than 20 signs per candidate, pro-position, or political committee shall be placed in the R.O.W. at the polling place 14 hours prior to voting period.

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**SECTION 3.  
CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances, City of White Settlement, Texas, as amended, except where the provisions are in direct conflict with the provisions of other ordinances, in which event the conflicting provisions of the other ordinances are hereby repealed.

**SECTION 4.  
SEVERABILITY CLAUSE**

It is hereby declared to be the action of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

**SECTION 5.  
SAVINGS CLAUSE**

All rights and remedies of the City of White Settlement are expressly saved as to any and all violations of the provisions of the Code of Ordinances, City of White Settlement, Texas, as amended, or any other ordinances regarding signs that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

**SECTION 6.  
PENALTY FOR VIOLATION**

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 no more than Five Hundred Dollars and no cents (\$500.00) for each violation. Each day a violation occurs is a separate offense. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.


**SECTION 7.  
PUBLICATION CLAUSE**

The City Secretary is hereby directed to publish this Ordinance in the official newspaper of the City as required by law.

**SECTION 8.  
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED upon reading on this 7<sup>th</sup> day of September, 2021.

  
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Mayor  
Ronald A. White

ATTEST:

  
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City Secretary  
Amy Arnold, TRMC, CMC



Approved as to Form and Legality:

  
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Drew Larkin, City Attorney