

POLITICAL ADVERTISING

What You Need to Know



The Texas Election Code requires certain disclosures and notices on political advertising. The law also prohibits certain types of misrepresentation in political advertising and campaign communications. This brochure explains what you need to know to insure that your political advertising and campaign communications comply with the law.

If you are not sure what the law requires, do the cautious thing. Use the political advertising disclosure statement whenever you think it might be necessary, and do not use any possibly misleading information in political advertising or a campaign communication. If you are using political advertising or campaign communications from a prior campaign, you should check to see if the law has changed since that campaign.

Candidates for federal office should check with the Federal Election Commission at (800) 424-9530 for information on federal political advertising laws.

NOTICE: This guide is intended only as a general overview of the disclosure statements that must appear on political advertising as required under [Chapter 255 of the Election Code](#), which is distinct from political reporting requirements under [Chapter 254 of the Election Code](#).

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REQUIRED DISCLOSURE ON POLITICAL ADVERTISING

I. What Is Political Advertising?

The disclosure statement and notice requirements discussed in this section apply to “political advertising.” In the law, “political advertising” is a specifically defined term. Do not confuse this special term with your own common-sense understanding of advertising.

To figure out if a communication is political advertising, you must look at what it says and where it appears. If a communication fits in one of the categories listed in Part A (below) and if it fits in one of the categories listed in Part B (below), it is political advertising.

Part A. What Does It Say?

1. Political advertising includes communications supporting or opposing a candidate for nomination or election to either a public office or an office of a political party (including county and precinct chairs).
2. Political advertising includes communications supporting or opposing an officeholder, a political party, or a measure (a ballot proposition).

Part B. Where Does It Appear?

1. Political advertising includes communications that appear in pamphlets, circulars, fliers, billboards or other signs, bumper stickers, or similar forms of written communication.
2. Political advertising includes communications that are published in newspapers, magazines, or other periodicals in return for consideration.
3. Political advertising includes communications that are broadcast by radio or television in return for consideration.
4. Political advertising includes communications that appear on an Internet website.

II. When Is a Disclosure Statement Required?

The law provides that political advertising that contains express advocacy is required to include a disclosure statement. The person who causes the political advertising to be published, distributed, or broadcast is responsible for including the disclosure statement.

The law does not define the term “express advocacy.” However, the law does provide that political advertising is deemed to contain express advocacy if it is authorized by a candidate, an agent of a candidate, or a political committee filing campaign finance reports. Therefore, a disclosure statement is required any time a candidate, a candidate’s agent, or a political committee authorizes political advertising.

The precise language of political advertising authorized by someone other than a candidate, the candidate's agent, or a political committee will determine if the advertising contains express advocacy and is therefore required to include a disclosure statement. Generally, the question is whether the communication expressly advocates the election or defeat of an identified candidate, or expressly advocates the passage or defeat of a measure, such as a bond election. The inclusion of words such as "vote for," "elect," "support," "defeat," "reject," or "Smith for Senate" would clearly constitute express advocacy, but express advocacy is not limited to communications that use those words. Similar phrases, such as "Cast your ballot for X," would also constitute express advocacy. Additionally, in 2007, the United States Supreme Court held that an advertisement included express advocacy or its functional equivalent "if the ad is susceptible to no reasonable interpretation other than as an appeal to vote for or against a specific candidate." *FEC v. Wis. Right to Life, Inc.*, 551 U.S. 449 (2007). It is a question of fact whether a particular communication constitutes express advocacy. If you are not sure whether political advertising contains express advocacy, do the cautious thing and include the disclosure statement. That way, there is no need to worry about whether you have violated the law.

Remember: The concept of "express advocacy" is relevant in determining whether political advertising is required to include a disclosure statement. However, the political advertising laws governing the right-of-way notice, misrepresentation, and use of public funds by political subdivisions will apply to political advertising regardless of whether the advertising contains express advocacy.

III. What Should the Disclosure Statement Say?

A disclosure statement must include the following:

1. the words "political advertising" or a recognizable abbreviation such as "pol. adv."; and
2. the full name of one of the following: (a) the person who paid for the political advertising; (b) the political committee authorizing the political advertising; or (c) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate.

The disclosure statement must appear on the face of the political advertising or be clearly spoken if the political advertising is audio only and does not include written text.

The advertising should not be attributed to entities such as "Committee to Elect John Doe" unless a specific-purpose committee named "Committee to Elect John Doe" has filed a campaign treasurer appointment with the Ethics Commission or a local filing authority.

IV. Are There Any Exceptions to the Disclosure Statement Requirement?

The following types of political advertising do not need the disclosure statement:

1. t-shirts, balloons, buttons, emery boards, hats, lapel stickers, small magnets, pencils, pens, pins, wooden nickels, candy wrappers, and similar materials;
2. invitations or tickets to political fundraising events or to events held to establish support for a candidate or officeholder;

3. an envelope that is used to transmit political advertising, provided that the political advertising in the envelope includes the disclosure statement;
4. circulars or fliers that cost in the aggregate less than \$500 to publish and distribute;
5. political advertising printed on letterhead stationery, if the letterhead includes the name of one of the following: (a) the person who paid for the advertising, (b) the political committee authorizing the advertising, or, (c) the candidate or specific-purpose committee supporting the candidate, if the political advertising is authorized by the candidate. (Note: There is also an exception for holiday greeting cards sent by an officeholder, provided that the officeholder's name and address appear on the card or the envelope.)
6. postings or re-postings on an Internet website if the person posting or re-posting is not an officeholder, candidate, or political committee and did not make an expenditure exceeding \$100 in a reporting period for political advertising beyond the basic cost of hardware messaging software and bandwidth;
7. an Internet social media profile webpage of a candidate or officeholder, if the webpage clearly and conspicuously displays the full name of the candidate or officeholder; and
8. postings or re-postings on an Internet website if the advertising is posted with a link to a publicly viewable Internet webpage that either contains the disclosure statement or is an Internet social media profile webpage of a candidate or officeholder that clearly and conspicuously displays the candidate's or officeholder's full name.

V. What Should I Do If I Discover That My Political Advertising Does Not Contain a Disclosure Statement?

The law prohibits a person from using, causing or permitting to be used, or continuing to use political advertising containing express advocacy if the person knows it does not include the disclosure statement. A person is presumed to know that the use is prohibited if the Texas Ethics Commission notifies the person in writing that the use is prohibited. If you receive notice from the Texas Ethics Commission that your political advertising does not comply with the law, you should stop using it immediately.

If you learn that a political advertising sign designed to be seen from the road does not contain a disclosure statement or contains an inaccurate disclosure statement, you should make a good faith attempt to remove or correct those signs that have been distributed. You are not required to attempt to recover other types of political advertising that have been distributed with a missing or inaccurate disclosure statement.

VI. The Fair Campaign Practices Act.

The [Fair Campaign Practices Act](#) sets out basic rules of decency, honesty, and fair play to be followed by candidates and political committees during a campaign. A candidate or political committee may choose to subscribe to the voluntary code by signing a copy of the code and filing it with the authority with whom the candidate or committee is required to file its campaign

treasurer appointment. A person subscribing to the code may indicate that fact on political advertising by including the following or a substantially similar statement:

(Name of the candidate or political committee, as appropriate) subscribes to the Code of Fair Campaign Practices.

VII. Special Notice to Political Subdivisions and School Districts.

You may not use public funds or resources for political advertising. Please see our “Publications and Guides” section of our website for more information.

ROAD SIGNS

I. When Is the “Right-Of-Way” Notice Required?

All written political advertising that is meant to be seen from a road must carry a “right-of-way” notice. It is a criminal offense to omit the “right-of-way” notice in the following circumstances:

1. if you enter into a contract or agreement to print or make written political advertising meant to be seen from a road; or
2. if you instruct another person to place the written political advertising meant to be seen from a road.

II. What Should the “Right-Of-Way” Notice Say?

Section 259.001 of the Texas Election Code prescribes the exact language of the notice:

NOTICE: IT IS A VIOLATION OF STATE LAW (CHAPTERS 392 AND 393, TRANSPORTATION CODE) TO PLACE THIS SIGN IN THE RIGHT-OF-WAY OF A HIGHWAY.

III. Do Yard Signs Have to Have the “Right-Of-Way” Notice?

Yes. The “right-of-way” notice requirement applies to signs meant to be seen from any road. The notice requirement assures that a person responsible for placing signs is aware of the restriction on placing the sign in the right-of-way of a highway.

IV. What About Bumper Stickers?

Bumper stickers do not need the “right-of-way” notice. They do, however, need a political advertising disclosure statement.

V. Where May I Place My Signs and How Long May Signs Be Posted?

For information about exactly where you may or may not place signs, or for information regarding the length of time your signs may be posted, check with your city or county government or your homeowner’s association. The Texas Ethics Commission does not have

jurisdiction over matters involving the location of signs, and the length of time that they may be posted.

MISREPRESENTATION

I. Are There Restrictions on the Contents of Political Advertising?

Political advertising and campaign communications may not misrepresent a person’s identity or official title, nor may they misrepresent the true source of the advertising or communication. The election law does not address other types of misrepresentation in political advertising or campaign communications.

Note that the misrepresentation rules apply to both political advertising and campaign communications. “Campaign communication” is a broader term than “political advertising.”

A “campaign communication” means “a written or oral communication relating to a campaign for nomination or election to public office or office of a political party or to a campaign on a measure.”

II. Misrepresentation of Office Title.

A candidate may not represent that he or she holds an office that he or she does not hold at the time of the representation. **If you are not the incumbent in the office you are seeking, you must make it clear that you are seeking election rather than reelection by using the word “for” to clarify that you don’t hold that office.** The word “for” must be at least one-half the type size as the name of the office and should appear immediately before the name of the office. For example, a non-incumbent may use the following formats:

**Vote John Doe
for Attorney General**

**John Doe
For
Attorney General**

A non-incumbent may not be allowed to use the following verbiage:

**Elect John Doe
Attorney General**

**John Doe
Attorney General**

III. Misrepresentation of Identity or Source.

A person violates the law if, with intent to injure a candidate or influence the result of an election, the person misrepresents the source of political advertising or a campaign communication or if the person misrepresents his or her own identity or the identity of his or her agent in political advertising or in a campaign communication. (If someone else is doing something for you, that person is your agent.) For example, you may not take out an ad in favor of your opponent that purports to be sponsored by a notoriously unpopular group.

IV. Use of State Seal.

Only current officeholders may use the state seal in political advertising.

V. Criminal Offenses.

Be aware that many violations of the Election Code are criminal offenses. For example, unlawfully using public funds for political advertising can be a Class A misdemeanor. So can misrepresenting one's identity or office title in political advertising. For more details on these offenses and political advertising in general, see [Chapter 255 of the Election Code](#).

POLITICAL SIGN REGULATIONS CITY OF MANSFIELD, TEXS

PERMITS/FEES - No permit or fee is required

PERMISSION

- The owner's written consent must be obtained before political signs are placed on private property. Please keep the written consent in case there is a complaint. Written consent is not required from the City of Mansfield for sign placement in City easements or rights-of-way (see prohibited areas below).

MAXIMUM SIGN SIZE AND HEIGHT

- Maximum Size – 36 square feet.
- Maximum Height – 8 feet.
- Political sign height is subject to further restrictions below.

VISIBILITY OBSTRUCTION

- Political signs placed within 15 feet of the curb or street pavement, if there is no curb, must be less than 30 inches high or have a height clearance of 8½ feet from the ground to the bottom of the sign.
- Political signs must not block the sight of drivers or pedestrians who are at any street crossing, intersection, or point of traffic concentration, such as the entrance drive to a retailer or gas station.

MINIMUM SIGN SPACING

- A political sign for any candidate, political action or issue shall be located at least 100 feet from another political sign for the same candidate, political action or issue except when such signs are located at opposite corners of a street intersection. This requirement is not applicable to political signs at a designated voting location and in the public easement or right-of-way immediately adjacent to the designated voting location.

PROHIBITED AREAS – Political signs are prohibited:

- On properties owned by the City of Mansfield, Mansfield Park Facilities Development Corporation or Mansfield Economic Development Corporation, including, but not limited to City Hall, Mansfield Activity Center, City Library, Public Safety Building, and City parks.
- In any easement or right-of-way immediately adjacent to the properties depicted above.
- In any easement or right-of-way where the adjacent property owner objects to the political sign
- In any drainage easement or drainage right-of-way.
- In the median of any street.
- In any state or federal rights-of-way.
- On trees or other natural objects.
- On utility poles, fire hydrants, boxes covering public utilities, bridges, pavement, sidewalks or crosswalks.

REMOVAL

- Political signs for an official election shall be removed within 14 days after the election. In case of a runoff election, the signs for the candidates involved shall be removed within 14 days after the runoff election.
- The City may remove or dispose of political signs in violation of these regulations on public property, easement or right-of-way without notice of the sign owners.

OTHER REQUIREMENTS

- Political signs shall be made of durable, weatherproof material. Dirty, torn, faded, dented or otherwise poorly maintained political signs shall be removed.
- Political signs shall not be illuminated or have any moving elements.
- Political signs shall not display the logo of the City of Mansfield.
- Political signs for a candidate, political action or issue for which a resident of Mansfield is not entitled to vote are prohibited.

ARTICLE 7. SUPPLEMENTAL PROVISIONS.

Section 7100. Sign Standards.

- A. **Purpose:** To establish regulations and minimum standards which directly relate to the function of the signs and to the intensity of development of each particular zoning district.
- B. **Permit Requirements:** No sign, unless herein excepted, shall be located, constructed, attached, or painted until a building permit application has been approved by the Planning Department and issued by the Development Services Department in accordance with the requirements of this section.
- C. **Sign Classifications and Definitions:** As used in the Schedule of Sign Standards contained in Table 7100 D, the following sign construction types and definitions shall apply:

1. **Classifications:**

- a. **Wall Sign:** A sign which is attached or affixed to the wall of a building or is an integral part of the wall of a building with the exposed face of the sign in a plane parallel to and not more than twelve inches (12") from said wall; providing, however, that electric wall signs may project not more than eighteen inches (18") from said wall. A wall sign shall not extend above or beyond the parallel face to which the sign is attached.
- b. **Projection Sign:** A sign which is attached or affixed to a building wall or structure other than a pole and extends or projects there from a maximum of four (4) feet.
- c. **Pole Sign:** A sign supported by and placed upon not more than two (2) poles or standards. Extra poles or standards in excess of two (2) may be added with the approval of the Building Inspector.
- d. **Directional Sign:** A temporary pole or ground sign that directs vehicular traffic. The sign may display arrows, words, or other symbols to indicate direction to the location of developments, subdivisions, model homes, garage sales, neighborhood information or businesses. (*Ordinance No. 1586, Adopted 8/28/06*)
- e. **Reader Board Sign:** A changeable copy sign with stripes or devices attached to the face of the sign to hold readily movable letters and numerals. The sign may be internally or externally illuminated.
- f. **Ground Sign:** A sign which is supported by more than two (2) columns, poles, uprights or braces in or upon the ground and is not a part of a building.
- g. **Monument Sign:** A freestanding, low profile sign with a solid base; any poles or supports must be concealed.
- h. **Unified Development Sign:** A freestanding sign that is supported from the grade to the bottom of the sign with a solid base and is used to identify multiple tenants within a unified development. (*Ordinance No. 1479, Adopted 4/12/04*)

2. **Definitions:**

- a. **Sign:** Any object, device, structure, or part thereof, visible from outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, banners, flags, fixtures, colors, illumination, or projected images. Definitions of particular functional and locational types of signs are listed in this subsection.
- b. **Advertising Sign:** A sign which is a primary use of land (not accessory use) and which directs attention to a business, product, activity or service which is not conducted, sold, offered or located on the premises where the sign is located.
- c. **Agricultural Sign:** An accessory sign identifying the farm or ranch on which it is placed and advertising the produce, crops, animals or poultry raised or quartered thereon.
- d. **Apartment Name Sign:** An accessory sign for the identification of an apartment building or complex of apartment buildings and located on the premises.
- e. **Construction Sign:** A temporary sign identifying the development on the premises and/or the property owner, architect, contractor, engineer, landscape architect, decorator or mortgagee engaged in the design, construction or improvement of the premises on which the sign is located. A real estate sign shall not be construed as a construction sign. (*Ordinance No. 1570, Adopted April 24, 2006*)
- f. **Development Sign:** A temporary sign related to the promotion of new development and located only on the premises involved in the development. Builder or contractor names may be displayed on the sign provided that at least 50% of the sign area is devoted towards displaying the name or promotional information of the development being advertised.
- g. **Directory Sign:** An accessory sign consisting of building identification and business names of the individual tenants. (*Ordinance No. 1479, Adopted 4/12/04*)
- h. **General Business Sign:** An accessory sign or graphic device which advertises only commodities or services offered on the premises where such sign is located and where such sign is not of the billboard, poster panel or painted bulletin type but is a sign designed specifically for the location.
- i. **Institutional Sign:** An accessory sign, which provides public interest information and/or advertisement related to a school, church or similar public or quasi-public institution located on the same premise where the sign is located.
- j. **Electronic Message Center (EMC):** A sign that utilizes computer generated messages or some other electronic means of changing copy.
- k. **Name Plate:** An accessory sign showing only the name and/or address of the owner or occupant of the premises on which it is erected or placed.
- l. **Real Estate Sign:** A temporary accessory sign pertaining to the sale or rental of property and advertising property only for use for which it is legally zoned.

- m. **Political Sign:** The term "political sign" shall be deemed to mean any sign erected for the purpose of advertising a political candidate or ballot measure; espousing a political cause; or expressing a person's or group's viewpoint or opinion on a political issue.
- n. **Temporary Sign:** A non-permanent sign which is intended to be displayed for a short period of time only. The term temporary sign shall include but not be limited to search lights, banners, bullhorns, pendants, spinners, balloons, streamers or other kinds of wind signs. Specific permitting and display standards for temporary signs are listed in Section 7100.J.2, Promotional Signage (*Ordinance No. 1453, Adopted 10/13/03*)
- o. **Wind Sign:** A temporary accessory sign, which achieves movement and thus attracts attention by action of wind currents.
- p. **Sign Area:** The entire area within a circle, triangle or parallelogram enclosing the extreme limits of writing, representation, emblem or any figure of similar character, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed. Where a sign has two or more faces, the area of all faces shall be included in determining the area of the sign, except that where two faces are placed back to back and are at no point more than two (2) feet from one another, the area of the sign shall be taken as the area of one face if the two faces are of equal area, or as the area of the larger face if the two faces are of unequal area.
- q. **Flashing Sign:** A sign or part thereof, operated so as to create flashing, change in light intensity, color or copy or intermittent light impulses more frequent than one every ten (10) seconds and further provided that Electronic Message Centers as herein above defined shall not constitute flashing signs. It is further provided that a sign which creates intermittent light impulses which convey time of day and/or temperature only shall not constitute a flashing sign.
- r. **Sign Height:** The measurement from the ground level to the highest point of the sign. *Ordinance No. 1479, Adopted 4/12/04*
- s. **Lighting:** As the term is used in Table 7100 D hereof, the illumination of a sign face by the light source exterior to and not a part of such face or a source of light not exposed to the eye.
- t. **Motion:** As the term is used in Table 7100 D hereof, the moving or rotating of a sign or portion thereof, or the giving of the perception of motion, other than a electronic message center as herein above defined.
- u. **Required Setback:** The distance from the property line, right-of-way line or street curb of all streets adjacent to the premises on which a sign is located.
- v. **Sign Structure:** Any part of a sign, including the base, supporting columns or braces, display surface, or any other appendage thereto.
- w. **Portable Sign:** A sign whose principal supporting structure is intended, by design, use or construction, to be used by resting upon the ground for support and which may be easily moved or relocated for reuse. Portable signs shall include but not be limited to

signs mounted upon or designed to be mounted upon a trailer, bench, wheeled carrier or other non-motorized mobile structure, with or without wheels, and A-frame and other similar signs, resting or leaning on the ground or other structures, but not permanently attached thereto. (*Ordinance No. 1453, Adopted 10/13/03*)

- x. **Kiosk Sign:** A free-standing structure located in public rights-of-way that features the City of Mansfield Identification Panel at the top of each structure and displays directional information to new homes, Mansfield Independent School District facilities, and municipal or community events or facilities. (*Ordinance No. 1454, Adopted 10/13/03*)
- y. **Sign Panel:** An individual sign placard displaying directional information on a kiosk sign. (*Ordinance No. 1454, Adopted 10/13/03*)
- z. **Subdivision Sign:** A sign located at the entrance of a subdivision that displays the name of the subdivision. (*Ordinance No. 1479, Adopted 4/12/04*)
- aa. **Neighborhood Information Sign:** A temporary sign erected within the boundaries of a platted residential subdivision at the subdivision entrance or on homeowner's association lots for the sole purpose of providing information to property owners concerning events within the subdivision.
- bb. **Window Sign:** Any sign that is plainly visible from the outside of the building and located on either the external surface of the window or on or within twenty-five (25) inches of the internal surface of the window. This definition does not apply to the display of building addresses, business hours of operation, the logos of accepted credit cards, "closed" and "open" signs, "for sale", "for lease", and similar real estate signs, and "now hiring" signs.
- cc. **Human Sign:** A sign held by or attached to a human being who stands or walks on the ground at a business or other location. A human sign includes a person dressed in a costume for the purpose of advertising or otherwise drawing attention to an individual, business, commodity, service, activity or product.
- dd. **Temporary Realtor Open House Directional Sign:** A temporary sign used for directing realtors and potential homebuyers to homes for sale within the City which are open for public viewing.
- ee. **Inflatable Sign:** A sign made from a non-porous bag or tube of tough, light material, including fan-blown and lighter-than-air or gas filled inflatable objects that may be connected with a tether, displaying graphics, symbols or written copy, or a combination of graphics, symbols and written copy.
- ff. **Blade Banner Sign:** A sign made of non-rigid material such as canvas or vinyl supported by a single vertical pole or frame mounted on the ground, and shall include a feather, teardrop, wave or flag sign, or any sign of similar construction and use.

D. Schedules of Sign Standards:

No sign shall be erected, placed, displayed or located except in accordance with the Schedules of Sign Standards contained in Table 7100D and the provisions of Sections 7100E through 7100K.

TABLE 7100D SCHEDULE OF SIGN STANDARDS

1) PERMANENT SIGNS

| TYPE OF SIGN | ZONING DISTRICT WHERE PERMITTED * | SIGN CLASSIFICATION PERMITTED | MAXIMUM AREA IN SQUARE FEET | MAXIMUM HEIGHT IN FEET | MAXIMUM WIDTH IN FEET | MINIMUM SETBACK FROM STREET RIGHT-OF-WAY LINE IN FEET** | MINIMUM SETBACK FROM SIDE OR REAR PROPERTY LINE IN FEET** | MAXIMUM QUANTITY/ MINIMUM SPACING | LIGHTING | FLASHING | MOTION | ADDITIONAL REGULATIONS |
|--|-----------------------------------|-------------------------------|---------------------------------|------------------------|-----------------------|---|---|--|----------|----------|---|---------------------------------------|
| INSTITUTIONAL | ALL DISTRICTS | M, W | 50 | 10 | 10 | 10 | 15 | ONE PER STREET FRONTAGE PLUS ONE WALL SIGN ON THE PRINCIPAL BUILDING | YES | NO | NO | SEE NOTES (2) (6) (7) (10) & (11) |
| APARTMENT NAME | MF-1, MF-2 | M, W | 50 | 10 | 10 | 10 | 15 | ONE PER STREET ENTRANCE | YES | NO | NO | SEE NOTES (2) (3) (4) (7) (10) & (11) |
| NAME PLATE | ALL DISTRICTS | P, W | 2 | N/A | NONE | N/A | N/A | NONE | NO | NO | NO | SEE NOTE (6) |
| GENERAL BUSINESS | C-1, C-2, C-3, C-4, I-1, I-2 | W | NONE | N/A | SEE NOTE (1) | N/A | N/A | ONE PER STREET FRONTAGE PER INDIVIDUALLY OWNED LOT OR TRACT PLUS ONE WALL SIGN PER TENANT WHO OCCUPIES SUCH LOT OR TRACT | YES | NO | YES | SEE SECTION 7100E |
| | | M, PR | 50 | 10 | 10 | 10 | 15 | ONE PER STREET FRONTAGE PER INDIVIDUALLY OWNED LOT OR TRACT PLUS ONE WALL SIGN PER TENANT WHO OCCUPIES SUCH LOT OR TRACT | YES | NO | YES | SEE NOTES (7) (10) & (11) |
| ADVERTISING | C-3, I-1, I-2 | P, G | 600 | 40 | NONE | 10 | 15 | SEE SECTION 7100F | YES | NO | YES | SEE NOTE (5) |
| AGRICULTURAL | A | M, W | 32 | 10 | 10 | 10 | 15 | ONE PER STREET FRONTAGE | NO | NO | NO | SEE NOTE (10) |
| SUBDIVISION | ALL DISTRICTS | M, W | 32 | 6 | 10 | N/A | N/A | ONE SIGN PER STREET ENTRANCE TO THE SUBDIVISION | NO | NO | NO | SEE NOTES (6) & (10) |
| DIRECTORY | OP | M, W | 32 | 6 | 10 | 10 | 15 | ONE PER STREET FRONTAGE | YES | NO | NO | SEE NOTES (10) & (11) |
| WINDOW | ALL NON-RESIDENTIAL DISTRICTS | N/A | SEE NOTE (12) | N/A | N/A | N/A | N/A | N/A | YES | NO | NO | TEMPORARY |
| ELECTRONIC MESSAGE CENTER/READER BOARD SIGN | C-2, C-3, I-1, I-2 | M | LIMITED TO 50% OF THE SIGN AREA | | | | | | | | | SEE NOTES (8) (9) (10) & (11) |
| <p>NOTES:</p> <p>(1) Width not to exceed 75% of building or store front.</p> <p>(2) Permitted on face of fence or wall in required front setback.</p> <p>(3) For building identification only.</p> <p>(4) Not applicable to rental single-family or two-family dwellings.</p> <p>(5) Specific use permit required.</p> <p>(6) Signs permitted in residential districts are also permitted in the PR district.</p> <p>(7) On lots with direct frontage along U.S. 287 and S.H. 360 monument signs may have a maximum height of 15 feet and a maximum sign area of 75 square feet. The sign must be located along the highway frontage of the lot.</p> <p>(8) Electronic Message Centers/Reader Boards may be used by institutional uses in any zoning district.</p> <p>(9) Signs for theaters advertising current and coming attractions shall be exempt from the percentage restriction on Electronic Message Center and Reader Board signs.</p> <p>(10) See section 7100.K.13 for further regulations on monument signs.</p> <p>(11) No freestanding sign may be located within 400 feet of another freestanding sign on the same lot or tract, measured along the street right-of-way lines.</p> <p>*Signs in any Historic Landmark District must comply with the provisions and approval procedures shown in Section 5400 of this ordinance.</p> <p>(12) The total sign area of window sign(s) shall not obscure more than twenty-five (25) percent of the total window area on each façade. Doors shall not contain signage for any message other than business name, hours of operation and payment method, and such signage shall not exceed four (4) square feet in total area.</p> <p>**Where the width of an easement is greater than the required setback, the sign must be located outside of the easement.</p> | | | | | | | | | | | <p>LEGEND:</p> <p>M – MONUMENT SIGN</p> <p>P – POLE SIGN</p> <p>W – WALL SIGN</p> <p>G – GROUND SIGN</p> <p>PR– PROJECTION SIGN</p> | |

TABLE 7100D SCHEDULE OF SIGN STANDARDS

2) TEMPORARY SIGNS

| TYPE OF SIGN | ZONING DISTRICT WHERE PERMITTED | SIGN CLASSIFICATION PERMITTED | MAXIMUM AREA IN SQUARE FEET | MAXIMUM HEIGHT IN FEET | MAXIMUM WIDTH IN FEET | MINIMUM FRONT SETBACK IN FEET | MINIMUM SIDE SETBACK IN FEET | MAXIMUM QUANTITY/ MINIMUM SPACING | LIGHTING | FLASHING | MOTION | MAXIMUM DURATION | ADDITIONAL REGULATIONS |
|--------------------------|---------------------------------|-------------------------------|-----------------------------|------------------------|-----------------------|-------------------------------|------------------------------|--|----------|----------|--------|---|--------------------------|
| REAL ESTATE | ALL RESIDENTIAL DISTRICTS | P, W, G | 16 | 6 | NONE | 10 | 15 | ONE PER 60' OF STREET FRONTAGE; MAXIMUM TWO PER STREET FRONTAGE | NO | NO | NO | TEMPORARY-UNTIL SALE OR RENTAL OF PROPERTY | SEE NOTES (1) (4)&(11) |
| | ALL NON-RESIDENTIAL DISTRICTS | P, W, G | 32 | 12 | NONE | 10 | 15 | | YES | NO | NO | | |
| CONSTRUCTION | ALL RESIDENTIAL DISTRICTS | P, W, G | 32 | 12 | NONE | 10 | 15 | ONE PER SITE OR STREET FRONTAGE | YES | NO | NO | TEMPORARY-UNTIL CONSTRUCTION IS COMPLETED | SEE NOTE (4) & (5) |
| | ALL NON-RESIDENTIAL DISTRICTS | P, W, G | 32 | 12 | NONE | 10 | 15 | | | | | TEMPORARY-UNTIL CERTIFICATE OF OCCUPANCY IS ISSUED, OR UNTIL MULTI-TENANT DEVELOPMENTS ARE 75% COMPLETE | SEE NOTE (5) & (6) |
| DEVELOPMENT | ALL DISTRICTS | P, G | 100 | 20 | NONE | 10 | 15 | MAXIMUM TWO PER DEVELOPMENT | YES | NO | NO | TEMPORARY FOR DURATION OF PERMIT | SEE NOTES (2) (3) & (4) |
| WINDOW | ALL NON-RESIDENTIAL DISTRICTS | N/A | SEE NOTE (9) | N/A | N/A | N/A | N/A | N/A | YES | NO | NO | TEMPORARY | SEE NOTE (9) |
| NEIGHBORHOOD INFORMATION | ALL RESIDENTIAL DISTRICTS | P, G | 4 | 3 | NONE | NONE | NONE | TWO SIGNS PER STREET ENTRANCE TO A RESIDENTIAL SUBDIVISION; MAXIMUM OF THREE SIGNS ON ANY HOMEOWNER'S ASSOCIATION LOT WITH A MNIMUM 50' DISTANCE BETWEEN SIGNS | NO | NO | NO | TEMPORARY | SEE NOTES (4), (7) & (8) |
| POLITICAL | ALL DISTRICTS | ALL | 36 | 8 | NONE | NONE | NONE | N/A | NO | NO | NO | TEMPORARY | SEE NOTE (10) |
| | | | | | | | | | | | | | |

NOTES:
 (1) Size limited to 4 square feet on occupied residential property.
 (2) For new residential subdivisions only.
 (3) Must setback at least 50 feet from the nearest single family home.
 (4) Signs permitted in residential districts are also permitted in the PR district.
 (5) For developments larger than 25 acres, one additional sign may be added for each 25 acres
 (6) See Section 7100J.14 for further regulations on non-residential construction signs
 (7) See Section 7100.H for further regulations on neighborhood information signs
 (8) Properties in a PR district that are occupied by a residential use or subdivision shall be treated the same as it is in a residential district
 (9) The total sign area of window sign(s) shall not obscure more than twenty-five (25) percent of the total window area on each façade
 (10) These regulations only pertain to political signs on private property; see Section 7100J.7 for regulations pertaining to political signs on public property, easement or right-of-way
 (11) See Section 7100.K.16 for further regulations on real estate signs

LEGEND:
 M – MONUMENT SIGN
 P – POLE SIGN
 W – WALL SIGN
 G – GROUND SIGN
 PR – PROJECTION SIGN

E. **Special Sign Standards for Multi-Tenant Office or Retail Strip Buildings**

One (1) additional wall sign may be permitted for a business at the corner or end of a multi-tenant office or retail strip building subject to the following regulations:

1. The additional wall sign shall be located on the side façade of the multi-tenant office or retail strip building. The side façade shall be defined as any façade that is at an angle of more than 45 degrees to the front façade. The front façade shall be defined as the façade on which most of the tenant spaces have their main entrances.
2. The additional wall sign shall not be allowed on the following:
 - a. on the rear façade of a multi-tenant office or retail strip building;
 - b. on any facade that is parallel or nearly parallel to the front façade of the multi-tenant office or retail strip building; or
 - c. on any façade that faces an abutting residential zoning district or an abutting PR zoning district occupied by single-family homes.
3. The location of an additional wall sign on an irregular or non-traditional shape building shall require the approval of the Zoning Administrator for compliance with the intent of this section of the Zoning Ordinance.
4. The size of the additional wall sign shall not exceed the size of the primary sign on the front façade of the tenant space; and in no case shall the additional wall sign exceed 75% of the width of the wall or store front on which the additional wall sign is placed.
5. The additional wall sign shall be located on the tenant space served by the sign.
6. The additional wall sign shall only advertise a single tenant.
7. The additional wall sign shall not co-exist with any other signs on the same building façade that advertise other tenants or the multi-tenant office or retail strip building.

F. **Special Standards for Advertising Signs:**

1. Advertising sign structures erected in the C-3, I-1 and I-2 Districts shall be placed a minimum of four hundred feet (400') apart when erected so as to face the same direction. No such structure shall be located within four hundred (400) feet of a residential zoning district boundary line if the face of the sign is placed at an angle of less than ninety (90) degrees to the district boundary line, nor shall such structure be located within two hundred (200) feet of a general business sign. (i.e. pole sign or ground sign).
2. Advertising sign structures erected in the C-3, I-1 and I-2 Districts placed within six hundred (600) feet of the right-of-way of a state or federally controlled highway or freeway shall be permitted when in compliance with the following:
 - a. Placed a minimum of five hundred (500) feet from any interchange of intersection.

- b. Placed a minimum of five hundred (500) feet from any other advertising sign on the same side of the highway or freeway and two hundred (200) feet from any general business sign, pole sign or wall sign (on premise).
 - c. Placed no closer than five hundred (500) feet to any park, forest, playground or scenic area as designated by a governmental agency having and exercising such authority, which is adjacent to any highway.
3. Review of Advertising Signs: Prior to the issuance of a sign permit by the Development Services Department, a sign permit application for an advertising sign shall be submitted, reviewed and approved for a Specific Use Permit by both the Planning and Zoning Commission and the City Council. Additionally, applicants proposing advertising signs shall obtain an Outdoor Advertising License from the Texas Department of Transportation, prior to the issuance of any sign permits for advertising signs in compliance with the Federal Highway Beautification Act of 1965.
 4. Before the issuance of a sign permit, an Outdoor Advertising License shall be obtained for an off-site development sign from the Texas Department of Transportation by the sign owner in compliance with the Federal Highway Beautification Act of 1965.

G. Special Sign Standards for Unified Development Signs:

1. Eligible Properties: A unified development sign may be erected in the C-2, C-3, I-1, or I-2 District for a unified development consisting of two (2) or more abutting platted lots that are used for a retail center or a combination of retail/commercial establishments.
2. Criteria for Approval: In determining whether to approve multiple lots as a unified development, the Director of Planning must find that the following criteria have been met:
 - a. All areas to be included in a unified development must be part of a clearly defined, comprehensively planned retail/commercial development. Attributes of a unified development include:
 - i. Common name identification to the public;
 - ii. Shared driveway access and parking; and
 - iii. Physical layout of the development results in a cohesive development
 - b. A unified development shall consist of at least ten (10) acres.
 - c. At least one of the lots being included in a unified development must have frontage on U.S. 287 or State Highway 360.
 - d. The area shall not be the combination of disparate premises joined solely for the purpose of erecting a unified development sign.
 - e. Developments that are comprised of a single retail/commercial establishment shall not be considered as a unified development.

- f. Developments that are comprised of predominantly office or industrial uses shall not be considered as a unified development.
 - g. There shall be no existing or future pole signs or ground signs within the unified development.
3. Maximum Sign Area: The maximum area of a unified development sign shall be based on the size of the unified development as depicted in the table below:

| Minimum Size of Unified Development | Maximum Area of Unified Development Sign |
|-------------------------------------|--|
| 10 to 19.99 acres | 100 sq. ft. |
| 20 to 29.99 acres | 200 sq. ft. |
| 30 acres or more | 300 sq. ft. |

In addition to the maximum sign area listed above, an additional sign area of fifty (50) square feet shall be allowed on a unified development sign to display the name of the unified development.

- 4. Maximum Height: The maximum height of a unified development sign shall be thirty-five (35) feet.
- 5. Minimum Setback: The minimum setback for a unified development sign shall be as follows:
 - a. Ten (10) feet from the street right-of-way line.
 - b. Fifteen (15) feet from the side or rear lot line.
 - c. Where the width of an easement is greater than the required setback, the sign must be located outside of the easement.
- 6. Maximum Quantity: Only one unified development sign shall be permitted per unified development. Deviation from this requirement shall be accomplished only through an approved Planned Development.
- 7. Co-existence with Other Signs:
 - a. A unified development sign may be permitted on the same lot as a monument sign and may co-exist with other monument signs in the unified development provided that it shall not be closer than thirty (30) feet to any monument signs in the unified development.
 - b. There must be no pole or ground signs within the unified development. After the approval of a master sign plan and before the construction of a unified development sign, all existing pole or ground signs within a unified development must be removed.
- 8. Master Sign Plan: Before obtaining a permit and erecting a unified development sign, the applicant shall submit a master sign plan to the Planning Department for review. A non-

refundable administration fee of \$250.00 shall accompany the plan submittal. The master sign plan shall contain the following information:

- a. Name of the unified development;
- b. Site plan showing lots, street rights-of-way, driveway access, parking, and physical layout of the development;
- c. Description of the unified development demonstrating compliance with the criteria of approval shown in Section 7100.G.2;
- d. The location, size, height and type of all proposed and existing signs in the unified development;
- e. Any existing pole or ground signs that must be removed and the consent of the sign owner for the removal; and
- f. Any other information required by the Director of Planning to ensure compliance with the provisions of this section.

9. Approval and Appeal Process:

- a. The Director of Planning shall be responsible for the approval of a proposed master sign plan and unified development sign.
- b. Any decision made by the Director may be appealed to the Planning and Zoning Commission.
- c. The Director may defer the approval of a unified development, a master sign plan or a unified development sign to the Planning and Zoning Commission for any reason.
- d. Any decision made by the Planning and Zoning Commission may be appealed to the City Council.

10. Sign Permit Issuance: A permit for a unified development sign shall not be issued until construction starts on the first building within the unified development.

11. Miscellaneous Provisions:

- a. The unified development sign shall be located outside of any visibility sight triangle and access drives.
- b. The support base and structure for a unified development sign shall be constructed of masonry material.
- c. Electrical equipment, irrigation equipment, controller, wiring or conduit on a unified development sign shall be concealed within the unified development sign base or sign structure, except that emergency power disconnects may be located on the exterior of the sign provided that they are located on the part of the sign opposite and furthest from the street.

- d. The bottom of the unified development sign shall rest directly on the support base with no space in between.
- e. The base of the unified development sign shall have the same or greater width as the sign.
- f. Only those properties and businesses within the boundaries of the unified development shall be included on the unified development sign.
- g. A unified development sign shall not be considered as an off-site sign even if some of the properties and businesses included on the sign are not located on the lot where the sign is erected.

Ordinance No. 1479, Adopted 4/12/04

H. **Special Sign Standards for Neighborhood Information Signs:** Neighborhood Information Signs may be erected within the boundaries of a platted residential subdivision without a permit provided the following regulations are met:

- 1. No neighborhood information signs shall be erected for a period of time exceeding fourteen (14) days.
- 2. All neighborhood information signs must be removed within twenty-four (24) hours after the event displayed on the sign.
- 3. No signs advertising the private sale of goods, services or real estate shall be allowed. Without limiting the foregoing, signs for garage sale events are not neighborhood information signs and must be permitted under Section 7100.J.3.
- 4. No neighborhood information signs shall be located:
 - a. in City right-of-way or in the public median of any City right-of-way;
 - b. within a visibility triangle or in such a way as to block or obscure from vision any traffic or safety sign or signal;
 - c. within fifty (50) feet from another neighborhood information sign when located on the same lot; or
 - d. on private property without the permission of the property owner.
- 5. No more than two neighborhood information signs are permitted at each subdivision entrance.
- 6. No more than three neighborhood information signs are permitted on each homeowner's association lot.
- 7. No neighborhood information sign shall exceed the following dimensions:
 - a. Height – thirty-six (36) inches, as measured from the ground level.

- b. Size of sign – four (4 square feet.
- 8. Neighborhood information signs shall be made of durable, weatherproof material. Dirty, torn, faded, dented or otherwise poorly maintained signs shall be removed.
- 9. Neighborhood information signs may display the neighborhood event name, date, time and contact information plus directional arrows, words or other symbols to indicate directions.
- 10. No lighting shall be allowed.
- 11. This section does not grant any right of access to or use of subdivision entries. Property owner permission is required before erecting any neighborhood information signs. If the property owner objects to the existence of the sign, the sign shall not be allowed on the lot of the property owner objecting to the sign. Also, the City may, notwithstanding the foregoing provisions, designate certain area as no sign zones for the purpose of protecting the public’s health, safety and welfare.
- 12. Neighborhood information signs found in violation of any of the above requirements may be impounded by the City and, at its option, disposed of.

(Ordinance No. 1586, Adopted 8/28/06)

I. Special Sign Standards for Electronic Message Center:

- 1. Electronic Message Centers (EMC) shall be equipped with a sensor or other device that automatically determines the ambient illumination and shall be programmed to automatically dim to within 0.3 footcandles over ambient illumination at night as measured per the EMC Illumination Measurement Criteria of the International Sign Association.
- 2. The applicant receiving a sign permit for an EMC shall provide a report demonstrating compliance with the requirements in Paragraph 1 above from a third party consultant prior to final inspection approval of the EMC.
- 3. When a complaint is received, the owner or operator of an EMC shall, if required by the City, provide an updated report to verify compliance with the requirements in Paragraph 1 above within five (5) business days.

J. General Provisions:

- 1. No sign other than kiosk signs, political signs, traffic and safety signs or signals, street name signs, and other signs erected by a public officer shall be erected in the right-of-way of any public or private street or alley. *(Ordinance No. 1479, Adopted 4/12/04)*
- 2. The provisions herein contained are applicable to location, size, use and placement of signs and shall otherwise be considered supplementary to other City of Mansfield codes and Ordinance pertaining to the erection, maintenance and operation of signs in the City, except where the provisions contained herein are in direct conflict with the provisions of such codes and such ordinances, in which event, conflicting provisions of such codes and ordinances are hereby repealed.

3. Signs shall be permitted for all Nonconforming uses in accordance with the regulations and standards specified in this Ordinance. Any sign used in conjunction with a Nonconforming use of land or buildings, if such sign is not in accordance with the provisions of this section, shall be deemed a separate Nonconforming use of land, and shall be subject to the provisions of Sections 7100.L and 7700 of this ordinance. *Ordinance No. 1479, Adopted 4/12/04*)
4. No revolving beam or beacon of light resembling any emergency vehicle light shall be permitted to be erected as part of any sign display in any zoning district.
5. Obstruction to View: No sign shall be erected, constructed, or maintained so as to constitute an obstruction of the vision or sight of motor vehicle drivers or pedestrians at any street intersection, street crossing or point of traffic concentration. A sign in the direct line of vision or sight of any motor vehicle driver or pedestrian from any point in a traffic lane within fifty (50) feet of any traffic control sign shall not be permitted.
6. All signs of any nature whatsoever, whether temporary or permanent, when situated within fifteen feet (15') of the curb or edge of any street shall either:
 - a. Have a clear height of eight and one-half feet (8-1/2') from the ground to the bottom of the sign; or
 - b. Have a height of not more than two and one-half feet (2-1/2') measured from the top of curb to the top of the sign; provided, that wall signs may be permitted on a wall which complies with setback and height requirements of the Zoning Ordinance.
7. No high intensity light shall be permitted as part of a sign display visible from an adjacent street in any zoning district; except signs giving public service information such as but not limited to date or temperature may be permitted. Lighting shall be shielded to prevent beams or rays from being directed at any portion of a traveled roadway or an occupied residential area and shall not be of such intensity or brilliance as to cause glare or impair vision.
8. Sign regulations for any development placed in a Planned Development District shall be established by the Planned Development ordinance and shall specify the maximum height, setback, general types and area of such signs permitted.
9. All signs must be constructed from substantial materials, free from defects, using accepted practices of good workmanship. All parts of a painted sign shall be painted with two (2) coats of good quality water-resistant paint. All signs are subject to all requirements contained in the City of Mansfield's Code of Ordinances and are subject to inspections during and after construction.
10. All signs shall be maintained in good appearance and safe structural condition. The general area in the vicinity of any sign shall be kept free and clear of sign materials, weeds, debris, trash and litter. Maintenance or replacement of sign copy or structural repairs shall be conducted in a manner to protect adjacent properties from debris and litter. Torn or ragged signs shall be repaired, covered or removed.
11. All signs with the exception of permitted off-premise signs shall pertain only to the principle use, service rendered, or product sold on the premises on which the sign is located and contain only information pertaining to either the name of the occupant, or the kind of business, or the brand name of the principle commodity being sold, but not including

information on subsidiary products or services, nor information on anything or persons not located on the premises.

12. Notwithstanding any provision in this ordinance to the contrary, any sign authorized in this ordinance is allowed to contain a political or noncommercial message in lieu of any other message.
13. A permanent sign on an awning shall be permitted in place of a wall sign, provided that the sign is affixed flat to the surface of the awning. No awning sign shall be allowed in addition to a wall sign and an awning sign and wall sign shall not be allowed on the same facade. (*Ordinance No. 1479, Adopted 4/12/04*)
14. No sign other than kiosk signs and signs erected by a City of Mansfield official shall display the registered logo of the City of Mansfield.

K. Sign Permitted in all Zoning Districts: The following regulations shall apply in addition to the requirements of Sections 7100.D and 7100.I. Signs listed in this section are permitted in all zoning districts and shall not require permits unless required herein and shall not be counted when calculating the quantity of signs and the total allowable sign area, provided, that such sign shall conform with all other applicable regulations:

1. **Subdivision Signs:** Reserved for future use (*Ordinance No. 1479, Adopted 4/12/04*)
2. **Promotional Signage:** Promotional signage may be displayed for grand openings, special events, sales and promotions, provided that the following regulations are met:
 - a. Before erecting or placing a promotional signage display, a permit must be obtained as required in Section 7100.M. Application for permit must be made on a form provided by the Building Inspection Department. The application must be accompanied by a sketch or diagram showing the exact location of the display, any message being displayed, plus the configuration and boundary of the premises where the display will be erected or placed. The sketch or diagram need not be professionally prepared but must be drawn to a designated scale or drawn with marked dimensions.
 - b. Each business, institution or occupied tenant space shall be allowed one (1) promotional signage display three (3) times per calendar year, for a maximum period of fourteen (14) days per display. A minimum of ninety (90) days shall be required between each promotional signage permit. The fourteen (14) day display period will commence on the first day promotional signage is displayed. In the case of a special promotion for a grand opening event, a display period may be extended to twenty-one (21) days provided that the promotion begins within the first three (3) months of the date of issuance of a certificate of occupancy or business license and the grand opening is limited to the address noted on the certificate or license.
 - c. All signage used for a promotional signage display must be removed at the end of the display period.
 - d. Promotional signage may include any temporary sign allowed by this Ordinance
 - e. Promotional signage shall be contained on the property of the applicant and shall not extend into the City right-of-way. In the case of a multi-tenant building, promotional

signage must be placed directly in front of the lease or tenant space being advertised, and shall not be placed in front of any other lease or tenant space. Signage shall not be located in any sight visibility triangle or visibility easement, nor shall any combustible materials be placed in contact with lighted signs or any electrical fixtures.

- f. Promotional signage shall not display information on any activity, event or person not located on the premises where the signage is permitted.
 - g. Torn or severely weathered promotional signage shall not be permitted.
 - h. Inflatable signs may be used in a promotional signage display subject to the following regulations:
 - 1. Inflatable signs shall be ground-mounted.
 - 2. Inflatable signs shall not be placed in a slight visibility triangle or in a manner that obstructs visibility necessary for safe traffic maneuvering.
 - 3. Inflatable signs must be set back from any property line, parking lot, sidewalk, or fire lane by a minimum distance equal to five (5) feet plus the height of the inflatable sign.
 - 4. Inflatable signs shall not be placed under any overhead utility lines.
 - 5. Inflatable signs shall be kept in good repair and remain securely attached in such a manner to withstand wind loads.
 - i. The quantity of signs in a promotional signage display shall be limited to a maximum of one (1) inflatable sign or three (3) of any other type of temporary sign per display.
 - j. A separate permit is required for each fourteen (14) day period that promotional signage will be used.
3. **Garage Sale Signs:** Signs pertaining to garage sales shall comply with the regulations in the Code of Ordinances.
4. **Public Information Signs:** Signs of a public or non-commercial nature, which shall include but not be limited to community service information signs, help wanted signs, public transit service signs, public utility information signs, safety signs, danger signs, trespassing signs, signs indicating scenic or historical points of interests, and all signs erected by a public officer in the performance of a public duty may be erected in all zoning districts without a permit. All public information signs except signs erected by a public officer shall not exceed an area of thirty two (32) square feet.
5. **Flags:**
- a. Official flags of government jurisdiction, flags indicating weather conditions and flags which are emblems of on-premise business firms and enterprises, religious, charitable, public and nonprofit organizations may be erected in all zoning districts without a permit. No more than one (1) United States flag, one (1) State of Texas flag, and one (1) emblematic flag shall be permitted on a single property at the same time.

- b. No single flag shall exceed fifty (50) square feet in area.
 - c. Flagpoles are accessory structures that are incidental to a principal use or building and shall not be permitted on vacant property without a principal use or building.
 - d. The maximum height of a flagpole in any zoning district shall be thirty-five (35) feet.
 - e. A flagpole may be located anywhere on a premise provided that the flagpole shall not be located closer than ten (10) feet to any property line or within any easement.
6. **Plaques:** Commemorative plaques by historical agencies recognized by the City, County or the State of Texas may be erected in all zoning districts without a permit.
7. **Political Signs:** Political signs may be erected on private property with the consent of the property owner, subject to the provisions in Table 7100D, Schedule of Sign Standards. Political signs may also be erected on any public property, easement or right-of-way subject to the following conditions:
- a. Political signs shall be made of durable, weatherproof material. Dirty, torn, faded, dented or otherwise poorly maintained political signs shall be removed.
 - b. Political signs shall not be illuminated or have any moving elements.
 - c. Political signs shall not be located:
 - 1. in any city park or city facility;
 - 2. in any easement or right-of-way where the adjacent to any city park or city facility;
 - 3. in any easement or right-of-way where the adjacent property owner objects to the presence of the political sign;
 - 4. in any drainage easement or right-of-way;
 - 5. in any street median;
 - 6. in any state or federal right-of-way;
 - d. A political sign for any candidate, political, action or issue shall be located at least one hundred (100) feet from another political sign for the same candidate, political action or issue except when such signs are located at opposite corners of a street intersection.
 - e. Political signs for a candidate, political action or issue for which a resident of Mansfield is not entitled to vote are prohibited.
 - f. The restrictions in subsection d. and e. do not apply to political signs at a designated voting location and in the public easement or right-of-way immediately adjacent to the designated voting location.
 - g. Political signs for an official election shall be removed within fourteen (14) days after the election or election runoff.

8. **Sign on Vehicles:** Signs on trucks, buses or passenger vehicles which are used in the normal conduct of business which are bearing current license plates, which are traveling or lawfully parked upon public right-of-ways, or any other premises for a period not exceeding four hours or for a longer period where the primary purpose of such parking is not the display of any sign.
9. **Kiosk Signs:**
 - a. The City Council may, by duly executed license agreement, grant the exclusive right to design, erect and maintain kiosk signs within Mansfield.
 - b. Kiosk signs must be designed and constructed according to the specifications contained in the aforementioned license agreement.
 - c. Prior to erecting any kiosk sign, the licensee shall submit a sign location map to the Director of Planning and Director of Public Works for approval.
 - d. Kiosk sign installations shall include breakaway design features as required for traffic signs in the street right-of-way.
 - e. Advertisement or price information is prohibited on kiosk signs.
 - f. No signs, pennants, flags or other devices for visual attention or other appurtenances shall be attached to kiosk signs.
 - g. Kiosk signs shall not be illuminated.
 - h. Individual sign panels on kiosk signs shall have a uniform design and color.
 - i. Kiosk signs shall not interfere with the use of sidewalks, walkways, bike and hiking trails; shall not obstruct the visibility of motorists, pedestrians or traffic control signs; shall not be installed in the immediate vicinity of street intersections; and shall comply with the requirements of the twenty-five (25) foot visibility triangle or other visibility easements.
10. **Holiday or Festive Decorations:** String lights or strip lighting and banner for recognized holiday or festive decorations may be erected in all zoning districts without a permit for a period not to exceed 60 days.
11. **Signs not visible:** All signs not visible from off the property may be erected in all zoning districts without a permit.
12. **On-premise Informational Signs:** Non-commercial signage, such as “Enter,” “Exit,” “One-Way,” or “Drive-Thru,” signs, that are used to direct vehicular or pedestrian traffic may be placed on the premises served by the signs provided that the following regulations are met:
 - a. On-premise informational signs shall not exceed four (4) square feet in area and three (3) feet in height.
 - b. On-premise informational signs shall not display any commercial message, including business name, graphic or logo.

- c. On-premise informational signage may be located anywhere on the premises, except in city right-of-way, easements or visibility triangles or visibility easements.

13. Monument Signs

- a. Before erecting or placing a monument sign, a permit must be obtained as required in Section 7100.M. Application for permit must be made on a form provided by the Development Services Department. The application must be accompanied by a sketch or diagram showing the exact location of the monument sign, any message being displayed, plus the configuration and boundary of the premises where the sign will be erected or placed. The sketch or diagram need not be professionally prepared but must be drawn to a designated scale or drawn with marked dimensions.
- b. A monument sign shall have a solid base at least two (2) feet tall and the base shall have the same or greater width as the sign. The height of the sign base shall be included when measuring the sign height.
- c. Electrical equipment, irrigation equipment, controller, wiring or conduit on a monument sign shall be concealed within the monument sign base or sign structure, except that emergency power disconnects may be located on the exterior of the sign provided that they are located on the part of the sign opposite and furthest from the street.
- d. Except for the sign area, monument signs shall be constructed of masonry material to match the primary building material. If the primary building is not masonry, the sign shall be constructed of brick, stone or split-face cement masonry units.
- e. The street address number of the building being served by a monument sign shall be displayed on the sign where it is legible from the street. The street address number shall not be included in the calculation of the signage area.

14. Non-residential Construction Signs

- a. The provisions of this section shall apply to development on any property owned and used by the City or the Mansfield Independent School District, regardless of zoning.
- b. For developments larger than ten (10) acres with frontage along U.S. 287, S.H. 360 or a 4-lane thoroughfare or larger, as shown on the City's Master Thoroughfare Plan, construction signs may have a maximum height of fifteen (15) feet and a maximum sign area of sixty-four (64) square feet.
- c. When multiple signs are permitted, the allowable sign area for each sign may be aggregated into one (1) or more larger signs. No single sign shall have a sign area greater than one hundred thirty-two (132) feet.
- d. Permits shall be valid for a period not longer than thirty-six (36) months. If display exceeds this time period, the applicant must re-apply for a new permit and pay all applicable fees.

15. Temporary Realtor Open House Directional Signs

- a. Temporary realtor open house directional signs must be no larger than twenty-four (24) inches by eighteen (18) inches in size (three square feet) and cannot be higher than three (3) feet above grade. Sign must not be placed closer than thirty (30) feet from an intersection, measured from the edge of the right-of-way line along any street, and must not be placed in the median. Signs must not be placed any closer than three (3) feet from the back of the curb or from the edge of the pavement.
- b. These signs must not obstruct the vision of traffic on the roadway. Any signs determined to be in a location that causes an immediate hazard to public safety must be immediately removed by the city.
- c. Signs must only direct traffic to properties located within the city limits.
- d. The sign must contain the words “open” or “open house”, as well as a directional arrow. The signs must contain the name of the realty company, the name of the listing agent and a current phone number (cell phone) in a font size and manner that is smaller and less prominent than the “open”, “open house” and directional information.
- e. No more than four (4) of these signs shall be posted for each address, including a sign on the property at which the open house is being held.
- f. These signs must be kept in good repair. These signs must be made of metal and/or plastic. These signs must not be made of wood or paper. The signs must be self-supporting and placed into the ground. The signs must not be placed on a utility pole, streetlight pole, sign pole, fence, tree, or any other manmade or natural feature. The signs must not be illuminated.
- g. Placement of these signs shall only be allowed on Fridays, Saturdays, Sundays and City holidays, and shall be removed no later than two (2) hours after the open house event. For the purpose of the subsection, a city holiday is any day recognized as an official holiday by the City of Mansfield. The list of official holidays observed by the City of Mansfield shall be maintained for public viewing on the City’s official website.

16. Real estate signs shall comply with the following regulations:

- a. Real estate signs shall be removed within fourteen (14) days following the close of a sale of the property.
- b. Real estate signs shall be maintained in good condition. Dull or peeling paint or damage to the material used for such signs shall be sufficient cause for the City to require repair or replacement or impoundment.

L. Prohibited Signs: It shall be unlawful to erect, place, attach, paint, write stamp, paste or maintain:

- 1. Any sign, including a human sign, which is not included under the types of signs permitted in Section 7100.D or in Section 7100.J.
- 2. Any sign, with the exception of approved advertising signs, political signs and kiosk signs, which advertises or publicizes goods, services, establishments, persons and activities not located on the premises upon which the sign is maintained.

3. Any search lights, bullhorns, pendants, spinners, balloons, banners, streamers, flags or other wind signs, any string lights or strip lighting except as permitted uses under the provisions of Section 7100.
4. Any portable sign, or directional sign which is not included under the types of signs permitted in Section 7100.D through Section 7100.J.
5. Any signs, advertisement, poster, placard or handbill upon any lamp post, electric light, railway, telephone or telegraph pole, fire hydrant, shade tree, stone cliff or other natural object, or boxing covering public utilities, or on any bridge, pavement, sidewalk or crosswalk.
6. Any sign, advertisement, poster or other matter on privately or publicly owned property without having obtained the written permission of the owner, agents, or occupants of the premises, and without having complied with other provisions of this Ordinance pertaining thereto.
7. Any sign or sign structure which constitutes a hazard to public safety or health.
8. Any sign which obstructs free ingress or egress from a fire escape, door window or other required exit way.
9. Any sign which interferes with any opening required for ventilation.
10. Any sign which makes use of words such as stop, look, one way, danger, yield or any other similar words, phrases, symbols, lights or characters in such a manner as to interfere with, mislead or confuse the vehicular traffic.
11. Any structure or part thereof, or any device or representation attached to, painted on, or represented on a building, fence, pole or other structure, which is used as or in the nature of an announcement, direction, advertisement, or other attention getting purposes, and which is not originally designed or intended to be a sign.
12. Any wall sign except a name plate sign, on the rear façade of a building or on any façade that is parallel or nearly parallel to the front façade of a building. For the purpose of this provision, a front façade shall be defined as the face on which a business, tenant or occupant has the main entrance.

M. Continuation and Discontinuation of Nonconforming Signs: All non-conforming permanent signs, legally existing on the effective date of this Ordinance, may continue to exist, provided that no non-conforming sign:

1. shall be changed to another Nonconforming sign.
2. shall be structurally altered so as to prolong the life of the sign or so as to significantly and materially change the shape, size, type or design of the sign.
3. shall be re-established after damage or destruction if the estimated expense of reconstruction exceeds 50% of the reproduction cost.

And further, provided that signs which are Nonconforming because they have flashing lights

or intermittent illumination shall be given ninety 90 days from the date of the adoption of this Ordinance to be brought into compliance with this Ordinance.

And further, provided that signs which are specifically prohibited in Section 7100.K shall be discontinued or removed by the owners of said signs within one hundred eighty (180) days from the date of the adoption of this Ordinance.

N. **Application for Permit:** The application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, or his authorized agent, or a sign contractor licensed by the City. Such applications shall be made in writing on forms furnished by the Development Services Department and shall be signed by the applicant. Every application for approval shall be accompanied by a plan or plans drawn to scale and including:

1. The dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached.
2. The dimensions of the sign's supporting members.
3. The proposed height of the sign.
4. The proposed location of the sign in relation to the face of the building, in front of which or on which it is to be erected.
5. The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated. This requirement shall not apply to wall signs.
6. Any other electrical, structural and architectural data as applicable. Upon obtaining a building permit, the owner or his authorized agent shall sign a statement indemnifying and holding the City harmless for any damages which may result from the placement of said sign including attorney fees and all costs of litigation.

O. **Permit Required, Exceptions:** No permit shall be required for the erection or alteration of the following:

1. Signs not exceeding two (2) square feet of display surface on a building, stating merely the name and occupation of an occupant, or other community service information.
2. Non-illuminated and non-electrical signs not exceeding 32 square feet used solely to advertise the sale or rental of the premises on which such signs are located.
3. Signs or markers used by a public utility holding a franchise from the City for community service information.
4. Temporary non-commercial signs or banners authorized by the Director of Planning for a period not to exceed 30 days.
5. The changing of the advertising copy or message of a reader board sign or a painted or printed sign. Electric signs shall not be included in this exception.
6. The repainting, non-electrical repair or cleaning maintenance of a sign.

P. Approval of a Certificate of Occupancy for each new business, facility or office desiring to continue using an existing sign shall be contingent upon approval of a sign permit.

Q. **Permit Fees:** A permit fee shall be paid to the Development Services Department for each sign permit issued as set forth in the Mansfield Fee Schedule Ordinance.

R. Removal of Signs:

1. Signs found in violation of any of the requirements of this section shall be impounded and disposed of.
2. The Inspector shall cause to be removed any sign that endangers the public safety, such as an abandoned, dangerous, or materially, electrically, or structurally defective sign, or a sign requiring a permit for which no permit has been issued. The Inspector shall provide notice which shall describe the sign and specify the violation involved and which shall state that, if the sign is not removed or the violation is not corrected within ten 10 days, the sign shall be removed in accordance with the provisions in this section.
3. Any time periods provided in this section shall be deemed to commence on the date of the notice.
4. Notwithstanding the above, in situations when the Inspector determines that a dangerous or defective sign may cause imminent peril to life or property, he may order the immediate removal of such sign without notice.
5. Any person who relocates, removes or defaces any lawfully erected sign shall be subject to the penalties as prescribed by this ordinance.
6. Notwithstanding the above, illegal banners or temporary signs may be impounded by the City after notice is attempted to the owner or party responsible for the sign.
7. In addition to fines and charges of removal and storage of violating signs, the City may cause the removal or disposal of same found on any public property, easement or right-of-way without notice to the owner of the sign.

TEXAS DEPARTMENT OF TRANSPORTATION

Rules for Posting Campaign Signs

During campaign season, the landscape blooms with a special kind of flower - the political sign. Unlike wildflowers that are welcome anywhere, putting campaign signs on public lands is illegal. So before you plant that sign, learn the law and keep Texas beautiful.

You Need to Know

- It is illegal to place any signs on or within the right of way. This includes posting signs on trees, telephone poles, traffic signs and other objects on the right of way.
- Campaign signs along Texas roads can be placed on private property with the owner's permission. Signs must be made of lightweight material and be no larger than 50 square feet.
- Before placing a sign inside of incorporated city limits, check with the city for applicable ordinances.

Sign Removal

If you've placed your sign in the right of way or it's posing a traffic hazard, we will remove it without prior notice. All costs associated with sign removal will be paid by the sign owner.

Contact Us

For more information about the rules governing campaign signs, please call (512) 416-2901.

POLITICAL AND CAMPAIGN SIGNS

NON-COMMERCIAL SIGNS VISIBLE TO PUBLIC HIGHWAYS

PRIMARY HIGHWAYS

During campaign season, the landscape blooms with a special kind of flower - the political sign. Unlike wildflowers which are welcome anywhere, putting campaign signs on public lands is illegal. So before you plant that sign, learn the law and keep Texas beautiful.

TxDOT only controls the location of commercial signs, and never controls the content of any signage. If you have questions about what may be on a political sign, please contact the Texas Ethics Commission at (512) 463-5800.

FREQUENTLY ASKED QUESTIONS:

Where can I place political signs?

You can place your signs anywhere so long as they are not in the highway right of way or in a location that poses a safety hazard (e.g. blocking sight to a driveway). Always make sure to check with local authorities (Cities, Counties, Homeowner's Associations, etc.) as they may have their own restrictions.

When can I place political signs?

Cities and counties may have their own time restrictions for political signs, however TxDOT does not enforce any timing restrictions.

There is a sign on private property posing a safety hazard

If you believe a sign or signs create a safety hazard, contact local law enforcement as they can have the owner remove or relocate their sign(s).

There are signs located on the Right of Way (ROW)

Signs cannot be placed on the ROW as per Texas Transportation Code (TTC) §393.002. "A sheriff, constable, or other trained volunteer authorized by the commissioners court of a county may confiscate a sign placed in violation of Section 393.002." (TTC §393.003). For state-maintained highways, your local TxDOT district office also has the authority to remove signs located on state owned right of way.

Where is the ROW?

If you are unsure where the ROW starts or ends, you should contact your local TxDOT district office.

ONLINE INFORMATION

This same information is available online on TxDOT's website and can be accessed by the below method:

Go to
www.txdot.gov



Select Inside TxDOT



Select Divisions



Select Right of Way



Rules for Posting
Campaign Signs

OR

Search Online:
"TxDOT Campaign Signs"

CONTACT US

The contact information for your local TxDOT office can be found online at:

www.txdot.gov → Inside TxDOT → Districts

Then use the map or the drop-down list to select your county for specific contact information.

For any other questions concerning political signs along Texas highways, contact the TxDOT Commercial Signs Regulatory Program by email at:

ROW_OutdoorAdvertising@txdot.gov

or by phone at:

(512) 416-3030