



ORDINANCE NO. 26-0317-F3

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS, AMENDING CHAPTER 14 "SIGNS" OF THE CODE OF THE CITY OF ENNIS, TEXAS, TO ADD SECTION 14-35 "ELECTIONEERING ON CITY-OWNED PROPERTY USED FOR A POLLING PLACE," TO AMEND SUBSECTION (B) OF SECTION 14-18 "TEMPORARY SIGNS, SEARCH LIGHTS," AND TO AMEND SECTION 14-33 "DEFINITIONS;" PROVIDING FOR THE INCORPORATION OF FINDINGS; PROVIDING A SAVINGS/REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) PER DAY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, from time to time, property owned by the City of Ennis, Texas ("City"), is used for polling places during elections ("City-owned polling places"); and

WHEREAS, the political signs that have been placed on City-owned polling places have varied in size and have often been affixed to the property using metal rebar, PVC posts, metal posts or "T-Posts" (customarily used to construct fences); and

WHEREAS, the metal rebar, PVC posts, metal posts and "T-Posts" are very likely to hit and cause substantial damage to water and electrical lines due to the depths the posts are driven into the ground; and

WHEREAS, due to the City's population growth and the increase in the number of candidates for public office, the number of signs placed at City-owned polling places has dramatically proliferated; and

WHEREAS, some political signs have become considerably larger and have caused public health and safety concerns in that they affect the line of sight of vehicles entering and exiting City-owned polling places; and

WHEREAS, Section 61.003 of the Texas Election Code sets forth that the entity that owns or controls a public building being used as a polling place may enact reasonable regulations concerning the time, place, and manner of electioneering; and

WHEREAS, the City Commission desires to establish reasonable regulations concerning the time, place, and manner of electioneering at City-owned polling places to mitigate safety concerns, prevent damage to

public property, and ensure that City-owned property is sufficiently available for its patrons who use the facilities other than for election purposes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS:

SECTION 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2. Amendment. Subsection (b) of Section 14-18 in Chapter 14 "Signs" of the Code of the City of Ennis, Texas, is hereby amended to read as follows (additions, ~~deletions~~):

Sec. 14-18. - Temporary signs, search lights (on site or on premise).

(b) Electioneering signs shall be regulated according to Section 14-35. Electioneering signs and all other temporary political signs shall be removed within seventy-two (72) hours ~~five (5) days~~ after the voting period ~~general or run-off election~~ to which a sign may pertain or after the termination of a candidacy, whichever comes first. Public property, utility poles, public buildings, or public right-of-way shall not be used for political signs except as allowed by Section 14-35. Fines shall be assessed per violation according to City Code.

SECTION 3. Amendment. Section 14-33 in Chapter 14 "Signs" of the Code of the City of Ennis, Texas, is hereby amended to add the following definitions to read as follows (additions, ~~deletions~~):

Electioneering has the meaning found in Section 61.003(b) of the Texas Election Code

Electioneering sign means a political sign located on property owned by the City of Ennis, Texas, that is being used for a polling place during elections.

Voting period means the period beginning when polls are open for voting and ending when the polls are closed or when the last voter has voted, whichever is later. The voting period for election day voting and a runoff election shall be considered separate voting periods, provided that the respective voting period shall include early voting and any period between the early voting and the election immediately thereafter.

SECTION 4. Amendment. Chapter 14 "Signs" of the Code of the City of Ennis, Texas, is hereby amended to add section 14-35 to read as follows:

Sec. 14-35. – Electioneering on city-owned property used for a polling place.

No political sign shall be held, placed, erected, maintained, affixed, or otherwise situated on property owned by the city that is being used for a polling place at any time other than the voting period and for seventy-two (72) hours before and after the voting period.

No political signs may be placed, erected, maintained, affixed, or otherwise situated on property owned by the city that is being used for a polling place utilizing posts that may damage subterranean water and electrical lines. For purposes of this subsection, the term "posts" shall include, but not be limited to rebar, PVC posts, metal posts and/or metal "T-Posts" typically used with farm and ranch type fencing. Heavy-gauged wire that is generally used for political yard signs is allowed.

No political signs larger than twenty-four (24) inches by twenty-four (24) inches or taller than forty-eight (48) inches from the ground may be held, placed, erected, maintained, affixed, or otherwise situated on property owned by the city that is being used for a polling place.

No more than two signs in support of a candidacy, no more than two signs in support of any particular ballot measure, and no more than two signs in opposition to any particular ballot measure may be placed, erected, maintained, affixed, or otherwise situated on property owned by the city that is being used for a polling place. This two sign limit is not intended to apply to t-shirts worn by persons participating in electioneering, magnets on cars parked at the polling place, or other similar temporary signs that are not affixed to the site.

Persons participating in electioneering shall not obstruct vehicular or pedestrian traffic or impede the normal day-to-day operations of the city building designated as a polling place.

During the voting period, no vehicles may remain on city property that has been designated as a polling place between the hours of 9:00 p.m. and 5:00 a.m.

Political signs shall not obstruct the vision of traffic on, entering, or exiting the roadway.

No political sign may be placed, erected, maintained, affixed, or otherwise situated within six (6) feet of the property line of the City-owned property being used as a polling place.

Any political sign determined to be in violation of this section may be immediately removed by the City in compliance with Section 14-3.

It shall be an offense for a person to violate any provision of this section.

SECTION 5. Savings/Repealing Clause. This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances, or parts thereof, in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided however, that any complaint, action, claim or lawsuit which has been initiated or has arisen under or pursuant to such other Ordinances on this date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance and for that purpose the Ordinance shall remain in full force and effect.

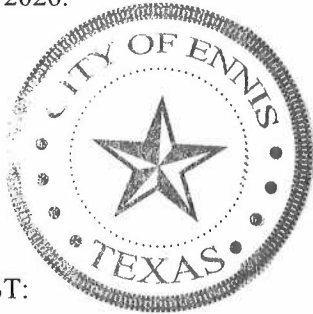
SECTION 6. Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional, illegal or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City of Ennis hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 7. Penalty Clause. Any person who violates any provision of this Ordinance, upon conviction, shall be deemed guilty of a misdemeanor and shall be fined a sum not to exceed five hundred dollars

(\$500.00) for each offense, and a separate offense shall be deemed committed upon each day on which a violation occurs or continues.

SECTION 8. Publication and Effective Date. This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases require.


PASSED AND APPROVED by the City Commission of the City of Ennis, Texas on this 17th day of March, 2026.





LYNDA ISBELL, Mayor

ATTEST:



ANGIE WADE, City Secretary