



17-1025

TITLE: Consider/Discuss/Act on an Ordinance Repealing Article IV, "Electioneering" Sections 38-70 Through 38-74 of the Code of Ordinances and Adopting a New Article IV, "Electioneering" Sections 38-70 Through 38-74

COUNCIL GOAL: Operational Excellence

MEETING DATE: October 17, 2017

DEPARTMENT: City Secretary

CONTACT: Sandy Hart, City Secretary
Mark Houser, City Attorney

RECOMMENDED CITY COUNCIL ACTION: Approve Ordinance

ITEM SUMMARY:

- On October 3, 2017, a discussion item was presented to Council regarding potential changes to Article IV, Sections 38-70 through 38-74.
- Since the October 3rd meeting, discussion was held between Staff regarding the expansion and additional parking at the John and Judy Gay Library. The previously Designated Electioneering Area will be impacted with the expansion. Exhibit A has been revised to indicate the new Designated Electioneering Area at this location.
- Collin County desires to use the StarCenter as a polling location. We have added the additional location to Exhibit A. With the future expansion of the StarCenter, there will be no Designated Electioneering Area.
- The proposed Ordinance brings the electioneering regulations in line with other entities.
- This Ordinance amends only the regulations regarding electioneering on City owned or controlled properties.
- The proposed changes include:

(a) *Posting Period means:*

(1) Political signage may be placed at any City owned polling location beginning twenty four hours before Early Voting begins and must be removed no later than twenty four hours after early voting closes.

(2) Political signage may be placed at any City owned polling locations beginning twenty four hours before Election Day voting begins and must be removed no later than twenty four hours after Election Day voting closes.

(b) Political signs shall be limited to four 2' x 2' signs per candidate at each City owned or controlled polling location during the posting period for early voting and on Election Day. The limit of campaign signs are regardless of whether the signs are from the candidate's campaign, a political action committee, or other interest group.

(c) Tents, awnings or shelters are not permitted on any City owned or controlled property during the early voting or Election Day period unless otherwise authorized by the City Manager.

(d) Megaphones are not permitted within 1,000 feet of any City owned polling location.

- Changes relating to the health, safety and welfare of the City's residents include:

(a) It shall be unlawful to place any political or campaign signs within 15 feet set back from the curb of the apparatus apron (driveway) of any City Fire Station to prevent obstructing sight lines as trucks pull in and out of the station.

(b) It is an offense for any person to engage in electioneering on driveways on the premises of a City owned or controlled polling location or in such areas that the Fire Chief or his/her designee determines to be unsafe for electioneering or determines will interfere with patrons or City employees and staff who use the areas other than for election purposes.

(c) It is an offense for any person to attach, place or otherwise affix any electioneering sign, literature or material to any building, tree, shrub, pole or other improvement on City owned or controlled property.

(d) It shall be unlawful to obstruct firefighting or police activities on City owned or controlled property.

- The existing Ordinance imposes a penalty, up to \$500 for any person violating the rules and regulations governing electioneering, as a Class C misdemeanor.
- The proposed Ordinance adds electioneering sign(s) located in violation of this Ordinance may be removed and disposed of by the City without prior notification.

BACKGROUND INFORMATION:

- The last Electioneering Ordinance was approved in October 2013.

FINANCIAL SUMMARY: N/A

BOARD OR COMMISSION RECOMMENDATION: N/A

SUPPORTING MATERIALS:

[Ordinance](#)

[Electioneering Ordinance - Redline](#)

[MISD Election Sign Posting Guidelines](#)

[Collin College Sign Guidelines](#)

[10.03.17 Presentation](#)