

Political and Campaign Sign (FAQ Sheet)

1.) **Regulation of Political Signs by the City of Fair Oaks Ranch (Municipality):**

Governed by Section 259.003 of the Texas Election Code and Section 10.4 (1) n, of The Unified Development Code (below).

- Governed by Section 259.003 of the Texas Election Code
 - o For a sign that contains primarily a political message and that is **located on private property** with the consent of the property owner, **a municipality cannot**:
 - Prohibit the sign from being placed
 - Require a permit or approval of the municipality or impose a fee for the sign to be placed
 - Restrict the size of the sign, or
 - Provide for a charge for removal of the sign that is greater than the charge for removal of other signs regulated by city ordinance
- Section 10.4 (1) n, of The Unified Development Code
 - o Political and campaign signs are **exempt from municipal regulation**, provided that they meet the following criteria:
 - Signs are located on private property and must comply with state law pertaining to political and campaign signs
 - Signs are not located on any portion of the public right-of-way between a street or sidewalk and a property line fence.
 - o The person, party, or parties responsible for the distribution and display of signs are individually and jointly responsible for their removal

2.) **Regulation of Political Signs by Property/Homeowner's Association**

- Governed by Section 259.002 of the Texas Election Code
- The City of Fair Oaks Ranch **does not** have the authority to enforce POA/HOA restrictions & covenants
- Adopted POA/HOA restrictions & covenants may vary from neighborhood to neighborhood
- POA'S/HOA's **are responsible** for enforcing adopted neighborhood restrictions & covenants
- Except as otherwise provided by Section 259.002 of the Texas Election Code, POA's/HOA's **may not enforce or adopt** restrictive covenants that prohibit a property owner from displaying on the owner's property one or more signs advertising a candidate or measure for an election.
 - o On or after the 90th day before the date of the election to which the sign relates; or
 - o Before the 10th day after that election date

3.) **Regulation of Political Signs by the Texas Department of Transportation (TxDOT):**

- Governed by Section 393.002 of the Texas Transportation Code
- Signs **cannot be located** on the right-of-way. This includes posting signs on trees, telephone poles, traffic signs, and other objects on the right-of-way
- Signs **cannot be in a location** that poses a safety hazard (e.g. blocking sight to a driveway, intersection, etc.).