

4. Utility and hazard Signs. Signs marking utility or underground communication or transmission lines and hazards.
5. Plaques. Historical and commemorative plaques of recognized historical societies and organizations, if the Signs are less than 15 square feet in Effective Area.
6. Mailboxes and addresses. Addresses, address markers, and names located on mailboxes.
7. Vehicle Signs. Signs displayed or used upon vehicles and trailers, unless the vehicle or trailer is permanently stationed or regularly used at a fixed location to serve the same or similar purpose of a permanent or Portable Sign.
8. Athletic Field Signs. Signs located on the field side of scoreboards and fences of athletic fields no taller than the height of the fence.
9. Signs not visible from Street. Any Sign not visible from a public Street.
10. Holiday Signs. Temporary Signs, including holiday lights, containing only holiday messages and no commercial advertising.
11. Unused Signs. Signs being manufactured or transported and not used for advertising.
12. Signs on outdoor machines, devices, and equipment. Signs located on outdoor machines, devices or equipment which display the trademark, trade name, manufacturer, cost, or operating or service instructions or similar information but do not advertise the business where located. This exemption includes Signs on coin-operated vending machines, fuel-dispensing pumps, telephone facilities, automatic teller machines, automotive vacuum cleaners, amusement rides, and similar machines, devices, or equipment.
13. Political signs. Signs that contain only a political message and that are located either:
 - a. 1) on public or private real property with the consent of the property owner, but
 - 2) unless the City consents, not in the right-of-way of a City street or highway, and not on the portion of any other real property

subject to an easement or other encumbrance that allows the City to use the property for a public purpose; or

b. during the Early Voting Period or the Voting Period, on property of the City used as a polling place, provided that:

1) no such sign shall be located closer than one hundred feet to an outside door through which a voter may enter the building in which a polling place is located;

2) no such sign shall be placed where it significantly blocks the public's view of another sign that was already lawfully in place before the sign doing the blocking; and

3) there shall not be more than two signs under this subsection on the same premises on the same side (whether for or against) of the same candidate or proposition. [NOTE: See also Texas Election Code sections 61.003 and 85.036, concerning signs on premises of polling places.]

c. For purposes of this exemption:

1). A political sign may not:

a. Have an Effective Area greater than 36 square feet, including the surface area of a Sign face or panel, but not the supporting structure of the Sign;

b. Be more than 8 feet high;

c. Be Illuminated or Electronic; or

d. Have any moving element.

2) 'Early Voting Period' as used herein shall be defined by Section 85.001 of the Texas Election Code.

3) 'Voting period' shall mean the period beginning when the polls open for voting and ending when the polls close or the last voter has voted, whichever is later."

4) Signs advertising for or against the passage of any measure or the election of any candidate in a then

scheduled election must be removed within 14 days after the election to which they relate. However, such signs may remain in place between a primary election and general election, and between an election and a run-off, provided that the measure or candidate will be on the general or run-off election ballot, as applicable; and such signs must be removed within 14 days after such general election or run-off.

14. Electronic Signs operated by a public agency that communicate a public service or public announcement, such as, but not limited to, Texas Department of Public Safety and Texas Department of Transportation electronic message signs.
15. Signs permitted by court order.
16. Agricultural Activity Signs, Celebratory Signs, and Personal Property Activity Signs, as defined in this Ordinance.
17. Permanent markers of any type used to identify the location of buried remains, also known as grave markers.
18. Any sign legally and in accordance with all other signage regulations in this Ordinance, erected by a single family residential lot owner, other than any stake sign or Temporary Freestanding Sign either on-premises or off-premises, shall not require a sign permit.

B. Affirmative Defenses

Antique Signs. It is an affirmative defense to prosecution under this ordinance that the sign is an antique sign. "*Antique Sign*" means a sign that is all of the following: (1) at least thirty-five years old; (2) not displayed for commercial purposes; (3) generally acknowledged and understood to have value as an antique to dealers and collectors of antiques; (4) not taller than eight feet; and (5) not larger than 64 square feet.

Sec. 5. - Prohibited Signs.

It is unlawful for any person to erect, install, construct, display, maintain, reconstruct, place, locate, relocate or make use of any of the following Signs for Advertising