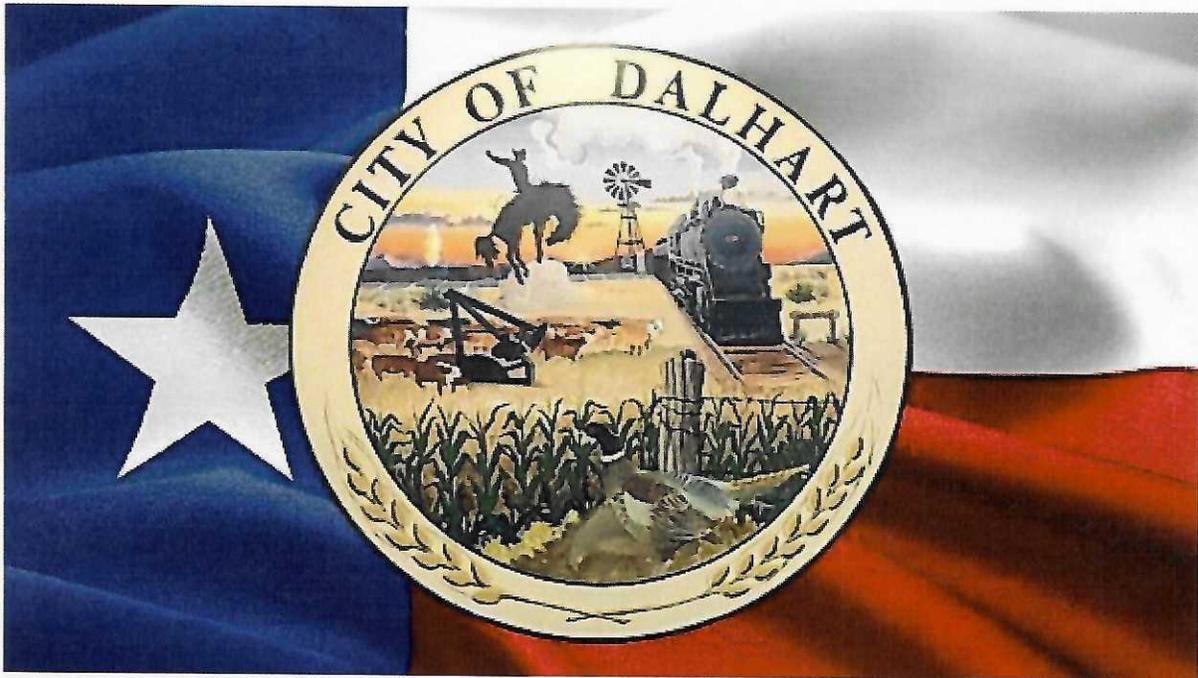


City of Dalhart
General Elections - May 4, 2024
Candidate Packet



**CITY OF DALHART
GENERAL CITY COUNCIL ELECTION
MAY 4, 2024
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Due to the volume of paper necessary to copy the remaining portion of the Candidate Packet, the following documents will be available upon the return of a completed Application for a Place on the Ballot.

*CAMPAIGN FINANCE GUIDE FOR CANDIDATES/OFFICEHOLDERS

*TEXAS ETHIC COMMISSION FILING SCHEDULE FOR REPORTS

*CANDIDATE /OFFICEHOLDER CAMPAIGN FINANCE REPORT (4) WITH ONE SET OF INSTRUCTIONS

*CANDIDATE/OFFICEHOLDER REPORT: DESIGNATION OF FINAL REPORT

*TITLE 15, ELECTION CODE – REGULATING POLITICAL FUNDS AND CAMPAIGNS (92 page document, provided upon request)

*City of Dalhart Charter upon request

TO: Candidates for City Council

FROM: Kristy Lehr, City Secretary

DATE: December 21, 2023

RE: General Election –Saturday, May 4, 2024

Thank you for your interest in serving the citizens of Dalhart. Holding a public office is a position of service to your community and I congratulate you on your willingness to give your time and talents to the citizens. To assist you, I have prepared this "Candidates Packet" with the necessary forms and basic instructions.

There will be 4 races on the May 4, 2024, ballot, the offices of Councilmember, Ward 1, Councilmember, Ward 2, Councilmember, Ward 3, and Councilmember, Ward 4. The elected officials will hold office for a 2-year term. All places on the City Council are at-large and may be held by any qualified and duly elected candidate.

A filing fee is not required. However, a Campaign Treasurer must be appointed before a candidate can receive contributions or make expenditures related to their campaign. If you prefer, you can appoint yourself, a family member, or a friend as Campaign Treasurer.

Listed below are forms and other information for the 2024 City of Dalhart Election. The first two are forms you will need to submit when filing for office.

1. **Application for a place on the City of Dalhart General Election Ballot.**
The Loyalty Oath is included in this application and must be notarized. I will be glad to assist you if you need this service.
2. **Appointment of a Campaign Treasurer by a Candidate (Form CTA) with Instructions.**
This form should be filed in the City Secretary's office at the same time as the Application for a Place on the Ballot.
3. **Code of Fair Campaign Practices (Form CFCP).**

4. Qualifications For Becoming a Candidate

5. Political Advertising, What You Need to Know.

6. Election Calendar of Important Dates Related to This Election.

As City Secretary for the City of Dalhart, I will be happy to answer general questions. I am, however, constrained from offering legal advice or opinions to any candidate. The Office of the City Secretary is specifically limited by law to the acceptance and filing of various applications, statements, and reports. These documents become public records upon filing and are available for public inspection.

All financial reports must be completed by the candidate or the candidate's campaign treasurer and are to be filed with the City Secretary. Campaign reports are considered public records upon filing. These forms are included in your packet.

You may direct specific questions to the office of the Secretary of State and/or to the Texas Ethics Commission. For your convenience, copies of the Texas Election Code and the Local Government Code are available online at:

<http://www.legis.state.tx.us>. Other contact information is:

Secretary of State
PO Box 12060
Austin, TX 78711-2060
800-252-8683
www.sos.state.tx.us

Texas Ethics Commission
PO Box 12070
Austin, TX 78711-2070
800-325-8506
www.ethics.state.tx.us

The City Secretary's office is open to help you. Your interest in municipal government is appreciated, and I trust this will be a positive and exciting experience for you. If you have any questions or concerns or if I can be of assistance, please do not hesitate to contact me at (806)244-5511, extension 3203 or via email at citysecretary@dalharttx.gov.

Sincerely,

Kristy Lehr, City Secretary

**2024
GENERAL ELECTION**

Positions open are:

1. Councilmember, Ward 1
2. Councilmember, Ward 2
3. Councilmember, Ward 3
4. Councilmember, Ward 4

City Councilmember qualifications are as follows:

1. Must be a citizen of the United States and a qualified voter of the State of Texas.
2. Shall have resided for at least 6 months in the Ward for which he/she is a candidate and live within the corporate limits of the City of Dalhart.
3. Shall not be in arrears in the payment of any taxes or other liability due the City, nor be disqualified by reason of any provision of any other section of the Charter.
4. Any member of the City Council ceasing to possess any of the qualifications specified in the paragraphs above or convicted of a felony while in office shall immediately forfeit their office.
5. Anyone declared serving a subversive group shall not be qualified to serve.

The City Council meets the 2nd and 4th Monday of each month at 6:00 p.m.

IMPORTANT CONTACT AND REFERENCE INFORMATION

City of Dalhart
205 Rock Island
P.O. Box 2005
Dalhart, TX 79022
806-244-5511-Office
806-244-4414-Fax
www.dalharttx.gov

City Secretary
Kristy Lehr
806-244-5511 Ext. 3203
806-244-4414-Fax
citysecretary@dalharttx.gov

Texas Ethics Commission (Information about Campaign Finance Forms)
www.ethics.state.tx.us

Texas Secretary of State (General Election Information)
www.sos.state.us

City of Dalhart Election Clerk's Contact Information:

Kristy Lehr
205 Rock Island Ave.
Dalhart, TX 79022
806-244-5511 Ext. 3203
citysecretary@dalharttx.gov

Current elected officers for the City of Dalhart are as follows:

Mayor-Justin Moore
Councilperson-Ginger Cleavenger
Councilperson-Dwayne Smith
Councilperson-Parker Noel
Councilperson-Gary Schniederjan
Councilperson-Brian DeMots
Councilperson-Michele Griffin
Councilperson-Franky Scott

The next General Election for the City of Dalhart will be held on Saturday, May 4, 2024, at the following location:

Dalhart City Hall
205 Rock Island Ave
Dalhart, TX 79022

Applications for a place on the ballot for the May 4, 2024, Election will be accepted beginning Wednesday, January 17, 2024, during regular business hours, Monday through Friday from 9 a.m. to 5 p.m. at City Hall. The last day to file for a place on the ballot is February 19, 2024, at 5:00 pm. Eligibility Requirements per Election Code § 11.11.

General Eligibility Requirements.

(a) **Standard requirements.** In accordance with the standard eligibility requirements for a city office, a candidate must:

- (1) be a United States citizen.
- (2) be 18 years of age or older on the first day of the term to be filled at the election;
- (3) not have been determined by a final judgment of a court exercising probate jurisdiction to be: (A) totally mentally incapacitated; or (B) partially mentally incapacitated without the right to vote;
- (4) not have been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities.
- (5) have resided continuously in the state for 12 months and in the city or in the district or ward, as applicable, for six months immediately preceding the deadline for filing an application for a place on the ballot (for a write-in candidate, preceding the date of the election);
- (6) be a registered voter in the territory from which the office is elected as of the date of the filing deadline for a candidate's place on the ballot (for a write-in candidate, as of the date of the election). [EC §141.001(a)].

**CITY OF DALHART
GENERAL ELECTION
CANDIDATES AND MEDIA
MAY 4, 2024**



DATE	DAY	ACTION
January 17, 2024	Wednesday	First day for filing an application for a place on the ballot. First day for write-in Candidates to declare candidacy.
February 16, 2024	Friday	Last day for filing an application for a place on the ballot. (Must be received by 5 p.m.)
February 20, 2024	Tuesday	Last day for write-in candidates to declare candidacy.
February 23, 2024	Friday	Last day for Ballot candidate to withdraw. Last day for write-in candidates to withdraw.
February 26, 2024	Monday	Drawing of names for a position on the ballot You do not have to be present but are welcome to attend
April 4, 2023, 2024	Friday	First report of Candidate Campaign Finance Report due
April 22, 2023-April 30, 2024	Monday	Early Voting
April 26, 2024	Friday	The second report of the Candidate Campaign Finance Report is due
May 4, 2024	Saturday	Election Day
To Be Determined		Official Canvass of Returns & Oaths of Office (The date is subject to change and all candidates will be notified)

First Steps for Candidates Running for a City Office

This quick-start guide for candidates seeking a city office is not intended to provide comprehensive information. For more details, including information on political advertising requirements, fundraising rules, and filing schedules, see the Texas Ethics Commission's (TEC) website at www.ethics.state.tx.us.

1. All candidates must file a Campaign Treasurer Appointment (Form CTA).

All candidates must file Form CTA even if you do not intend to raise or spend any money. Form CTA is required to be filed before you file an application for a place on the ballot, raise or spend any money for your campaign, or announce your candidacy. File Form CTA with the city clerk or city secretary, as applicable.

2. Opposed Candidates: Will you accept or spend more than \$1,010* for the election?

• YES:

- You do not qualify to file on the modified reporting schedule.
- You are **required** to file pre-election campaign finance reports using Form C/OH if you have an opponent on the ballot. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/Officeholder" webpage.
- Pre-election reports are due 30 days and 8 days prior to each election. To be timely filed, pre-election reports must be received by the city clerk or city secretary no later than the due date.

• NO:

- You can elect to file on the modified reporting schedule by completing the *Modified Reporting Declaration* on page two of Form CTA. File Form CTA with the city clerk or city secretary.
- If you elect to file on the modified reporting schedule, you do not have to file pre-election campaign finance reports due 30 days and 8 days prior to the election.
- Exceed \$1,010*: If you elect to file on the modified reporting schedule but later exceed \$1,010 in either contributions or expenditures, what reports you will be required to file depends upon when you exceed \$1,010*.
 - If you exceed \$1,010* on or before the 30th day before the election, you are **required** to file pre-election campaign finance reports due 30 days and 8 days prior to an election using Form C/OH. To be timely filed, pre-election reports must be received by the city clerk or city secretary no later than the due date. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/Officeholder" webpage.
 - If you exceed \$1,010* after the 30th day before the election, you are **required** to file an Exceeded Modified Reporting Limit report using Form C/OH. To be timely filed, this report must be filed with the city clerk or city secretary within 48 hours of exceeding \$1,010.* You must also file the pre-election report due 8 days prior to an election. Find Form C/OH and its instructions on our "Local Filers Non-Judicial Candidate/Officeholder" webpage. If you exceed \$1,010* on or before the 8th day before the election, you are **required** to file a pre-election campaign finance report due 8 days prior to an election using Form C/OH. To be timely filed, the pre-election

report must be *received* by the city clerk or city secretary no later than the due date. Find Form C/OH and its instructions on our “Local Filers Non-Judicial Candidate/Officeholder” webpage.

3. Unopposed Candidates.

If you do not have an opponent whose name will appear on the ballot in the election, you are an unopposed candidate and are not required to file pre-election campaign finance reports prior to that election.

4. All candidates must file semiannual campaign finance reports (Form C/OH).

All candidates are *required* to file semiannual reports using Form C/OH even if you have no campaign activity or were unsuccessful in the election. Semiannual reports are due on January 15th and July 15th and must be filed with the city clerk or city secretary. To end your filing obligations, you must cease campaign activity and file a Final report using Form C/OH and attaching Form C/OH-FR (Designation of Final Report). Form C/OH-FR is found on the last page of Form C/OH. Find Form C/OH and its instructions on our “Local Filers Non-Judicial Candidate/Officeholder” webpage. For more information, see “Ending Your Campaign” for local filers.

5. All candidates can use the TEC’s Filing Application to prepare campaign finance reports (Form C/OH).

You can use the TEC’s Filing Application to prepare a PDF version of your campaign finance report (Form C/OH). Select “Local Authority” and follow the steps to set up an account and login to the application. Once you have completed your report, print out a copy, add your treasurer information, get it notarized, and file it with the city clerk or city secretary by the appropriate deadline.

6. Need More Information?

See the Campaign Finance Guide for Candidates and Officeholders Who File With Local Filing Authorities, forms, instructions, examples on how to disclose contributions and expenditures, political advertising and fundraising guides, and other information you may find useful on our website at www.ethics.state.tx.us under the “Resources” and “Forms/Instructions” main menu items.

***NOTE:** *The \$1,010 threshold is specific to transactions made in 2023.*

APPLICATION FOR A PLACE ON THE BALLOT FOR A GENERAL ELECTION FOR A CITY, SCHOOL DISTRICT OR OTHER POLITICAL SUBDIVISION

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL¹ Failure to provide required information may result in rejection of application.

APPLICATION FOR A PLACE ON THE _____ GENERAL ELECTION BALLOT					
TO: City Secretary/Secretary of Board _____ (name of election)					
I request that my name be placed on the above-named official ballot as a candidate for the office indicated below.					
OFFICE SOUGHT (Include any place number or other distinguishing number, if any.)				INDICATE TERM	
				<input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last)			PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT*		
PERMANENT RESIDENCE ADDRESS (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)			PUBLIC MAILING ADDRESS (Optional) (Address for which you receive campaign related correspondence, if available.)		
CITY	STATE	ZIP	CITY	STATE	ZIP
PUBLIC EMAIL ADDRESS (Optional) (Address for which you receive campaign related emails, if available.)		OCCUPATION (Do not leave blank)		DATE OF BIRTH	VOTER REGISTRATION VOID NUMBER² (Optional)
				/ /	
TELEPHONE CONTACT INFORMATION (Optional)					
Home:		Office:		Cell:	
FELONY CONVICTION STATUS (You MUST check one)			LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN		
<input type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. ³			IN THE STATE OF TEXAS		IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED
			_____ year(s) _____ month(s)		_____ year(s) _____ month(s)
*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.					
Before me, the undersigned authority, on this day personally appeared (name of candidate) _____, who being by me here and now duly sworn, upon oath says: "I, (name of candidate) _____, of _____ County, Texas, being a candidate for the office of _____, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."					
X _____					
SIGNATURE OF CANDIDATE					
Sworn to and subscribed before me this the _____ day of _____, _____, by _____, _____ (name of candidate).					
Signature of Officer Authorized to Administer Oath ⁴			Printed Name of Officer Authorized to Administer Oath		
Title of Officer Authorized to Administer Oath			Notarial or Official Seal		
TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:					
<input type="checkbox"/> CASH <input type="checkbox"/> CHECK <input type="checkbox"/> MONEY ORDER <input type="checkbox"/> CASHIERS CHECK OR <input type="checkbox"/> PETITION IN LIEU OF A FILING FEE.					
This document and \$ _____ filing fee or a nominating petition of _____ pages received. <input type="checkbox"/> Voter Registration Status Verified					
Date Received		Date Accepted		(See Section 1.007)	
				Signature of Filing Officer or Designee	

INSTRUCTIONS

An application for a place on the general election for a city, school district or other political subdivision, may not be filed earlier than 30 days before the deadline prescribed by this code for filing the application. An application filed before that day is void. All fields of the application **must** be completed unless specifically marked optional.

For an election to be held on a uniform election date, the day of the filing deadline is the 78th day before Election Day.

If you have questions about the application, please contact the Secretary of State's Elections Division at 800-252-8683.

NEPOTISM LAW

The candidate must sign this statement indicating his awareness of the nepotism law. When a candidate signs the application, it is an acknowledgment that the candidate is aware of the nepotism law. The nepotism prohibitions of chapter 573, Government Code, are summarized below:

No officer may appoint, or vote for or confirm the appointment or employment of any person related within the second degree by affinity (marriage) or the third degree by consanguinity (blood) to the officer, or to any other member of the governing body or court on which the officer serves when the compensation of that person is to be paid out of public funds or fees of office. However, nothing in the law prevents the appointment, voting for, or confirmation of anyone who has been continuously employed in the office or employment for the following period prior to the election or appointment of the officer or member related to the employee in the prohibited degree: six months, if the officer or member is elected at an election other than the general election for state and county officers.

No candidate may take action to influence an employee of the office to which the candidate is seeking election or an employee or officer of the governmental body to which the candidate is seeking election regarding the appointment or employment of a person related to the candidate in a prohibited degree as noted above. This prohibition does not apply to a candidate's actions with respect to a bona fide class or category of employees or prospective employees.

FOOTNOTES

¹An application for a place on the ballot, including any accompanying petition, is public information immediately on its filing. (Section 141.035, Texas Election Code)

²Inclusion of a candidate's VUID is optional. However, many candidates are required to be registered voters in the territory from which the office is elected at the time of the filing deadline. Please visit the Elections Division of the Secretary of State's website for additional information. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

³Proof of release from the resulting disabilities of a felony conviction would include proof of judicial clemency under Texas Code of Criminal Procedure 42A.701, proof of executive pardon under Texas Code of Criminal Procedure 48.01, or proof of a restoration of rights under Texas Code of Criminal Procedure 48.05. (Texas Attorney General Opinion KP-0251)

One of the following documents must be submitted with this application.

Judicial Clemency under Texas Code of Criminal Procedure 42A.701

Executive Pardon under Texas Code of Criminal Procedure 48.01

Restoration of Rights under Texas Code of Criminal Procedure 48.05

⁴All oaths, affidavits, or affirmations made within this State may be administered and a certificate of the fact given by a judge, clerk, or commissioner of any court of record, a notary public, a justice of the peace, city secretary (for a city office), and the Secretary of State of Texas. See Chapter 602 of the Texas Government Code for the complete list of persons authorized to administer oaths.

**SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL
 PARA UNA CIUDAD, DISTRITO ESCOLAR U OTRA SUBDIVISIÓN POLÍTICA**

TODA LA INFORMACIÓN ES REQUERIDA A MENOS QUE SE INDIQUE COMO OPCIONAL¹ El hecho de no proporcionar la información requerida puede resultar en el rechazo de la solicitud.

SOLICITUD DE INSCRIPCIÓN PARA UN LUGAR EN LA BOLETA DE UNA ELECCIÓN GENERAL DE _____
 Para: Secretario(a) de la Ciudad/ Secretario(a) del Consejo (nombre de la elección)

Solicito que mi nombre se incluya en la boleta oficial mencionada anteriormente como candidato(a) al cargo indicado a continuación.

CARGO SOLICITADO (Incluya cualquier número de cargo u otro número distintivo, si lo hay.) _____ **INDIQUE TÉRMINO**
 TÉRMINO COMPLETO TÉRMINO INCOMPLETO

NOMBRE COMPLETO (Primer Nombre, Segundo Nombre, Apellido) _____ **ESCRIBA SU NOMBRE COMO DESEA QUE APAREZCA EN LA BOLETA***

DIRECCIÓN DE RESIDENCIA PERMANENTE (No incluya un apartado postal o una ruta rural. Si usted no tiene una dirección de residencia, describa la ubicación de la residencia.) _____ **DIRECCIÓN DE CORREO PÚBLICO (Opcional)** (Dirección en la que recibe la correspondencia relacionada con la campaña, si está disponible.) _____

CIUDAD	ESTADO	CÓDIGO POSTAL	CIUDAD	ESTADO	CÓDIGO POSTAL
---------------	---------------	----------------------	---------------	---------------	----------------------

DIRECCIÓN DE CORREO ELECTRÓNICO PÚBLICO (Opcional) (Dirección donde recibe correo electrónico relacionado con la campaña, si está disponible.) _____	OCUPACIÓN (No deje este espacio en blanco) _____	FECHA DE NACIMIENTO ____/____/____	VUID – NÚMERO ÚNICO DE IDENTIFICACIÓN DE VOTANTE² (Opcional) _____
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INFORMACIÓN DE CONTACTO TELEFÓNICO (Opcional)
 Hogar: _____ Trabajo: _____ Celular: _____

ESTADO DE CONDENA POR DELITO GRAVE (DEBE marcar una)	DURACIÓN DE RESIDENCIA CONTINUA A PARTIR DE LA FECHA EN QUE ESTA SOLICITUD FUE JURADA	
<input type="checkbox"/> No he sido finalmente condenado por un delito grave. <input type="checkbox"/> He sido finalmente condenado por un delito grave, pero he sido indultado o liberado de otro modo de las discapacidades resultantes de esa condena por delito grave y he proporcionado prueba de este hecho con la presentación de esta solicitud. ³	EN EL ESTADO DE TEXAS	EN EL TERRITORIO/DISTRITO/PRECINTO DEL CUAL SE ELIGE EL CARGO BUSCADO
	____ año(s)	____ año(s)
	____ mes(es)	____ mes(es)

*Si usa un apodo como parte de su nombre para aparecer en la boleta, también está firmando y jurando las siguientes declaraciones: Juro además que mi apodo no constituye un lema ni contiene un título, ni indica un punto de vista o afiliación política, económica, social o religiosa. He sido comúnmente conocido por este apodo durante al menos tres años antes de esta elección. Por favor, revise las secciones 52.031, 52.032 y 52.033 del Código Electoral de Texas con respecto a las reglas sobre cómo se pueden incluir los nombres en la boleta oficial.

Ante mí, la autoridad abajo firmante, en este día apareció personalmente (nombre del candidato) _____, quien estando a mi lado aquí y ahora debidamente juramentado, bajo juramento dice:

"Yo, (nombre del candidato) _____, del condado de _____, Texas, siendo candidato para el cargo de _____, juro que apoyaré y defenderé la Constitución y las leyes de los Estados Unidos y del Estado de Texas. Soy un ciudadano de los Estados Unidos elegible para ocupar dicho cargo según la Constitución y las leyes de este estado. No se me ha determinado por un fallo final de una corte que ejerce la jurisdicción testamentaria que esté totalmente incapacitado mentalmente o parcialmente incapacitado sin derecho a voto. Soy consciente de la ley de nepotismo según el Capítulo 573 del Código de Gobierno. Soy consciente de que debo divulgar cualquier condena previa de un delito grave y, si he sido condenado, debo proporcionar prueba de que he sido indultado o liberado de otro modo de las discapacidades resultantes de dicha condena final por delito grave. Soy consciente de que proporcionar a sabiendas información falsa en la solicitud con respecto a mi posible estado de condena por delito grave constituye un delito menor de Clase B. Juro además que las declaraciones anteriores incluidas en mi solicitud son, en todos los aspectos, verdaderas y correctas."

X _____
FIRMA DEL CANDIDATO

Jurado y suscrito ante mí este día _____ de _____ del _____ por _____
 (día) (mes) (año) (nombre de candidato)

Firma del oficial autorizado para administrar el juramento ⁴	Nombre del oficial autorizado para administrar juramentos en letra de molde
_____	Notarial o sello oficial
Título del oficial autorizado para administrar el juramento	

TO BE COMPLETED BY FILING OFFICER: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE (If Applicable) PAID BY:
 CASH CHECK MONEY ORDER CASHIERS CHECK OR PETITION IN LIEU OF A FILING FEE.
 This document and \$_____ filing fee or a nominating petition of _____ pages received. **Voter Registration Status Verified**
 _____/_____/_____
 Date Received Date Accepted (See Section 1.007) _____
 Signature of Filing Officer or Designee

INSTRUCCIONES

Una solicitud para un lugar en la elección general para una ciudad, distrito escolar u otra subdivisión política, no puede ser presentada antes de los 30 días antes de la fecha límite prescrita por este código para presentar la solicitud. Una solicitud presentada antes de ese día es nula. Todos los campos de la solicitud **deben** completarse a menos que estén específicamente marcados como opcional.

Para una elección que se lleve a cabo en una fecha de elección uniforme, el día de la fecha límite de presentación es el 78º día antes del día de la elección.

Si tiene preguntas sobre la solicitud, por favor póngase en contacto con la División de Elecciones del Secretario de Estado llamando al 800-252-8683.

LEY DE NEPOTISMO

El candidato debe firmar esta declaración indicando su conocimiento de la ley del nepotismo. Cuando un candidato firma la solicitud, es un reconocimiento de que el candidato conoce la ley del nepotismo. Las prohibiciones de nepotismo del capítulo 573, Código de Gobierno, se resumen a continuación:

Ningún funcionario puede nombrar, votar o confirmar el nombramiento o empleo de cualquier persona emparentada dentro del segundo grado por afinidad (matrimonio) o del tercer grado por consanguinidad (sangre) con sí mismo, o con cualquier otro miembro del órgano de gobierno o corte en el que se desempeña cuando la compensación de esa persona debe pagarse con fondos públicos o honorarios del cargo. Sin embargo, nada en la ley impide el nombramiento, la votación o la confirmación de cualquier persona que haya estado empleada continuamente en la oficina o el empleo durante el período siguiente antes de la elección o el nombramiento del funcionario o miembro emparentado con el empleado en el grado prohibido: seis meses, si el funcionario o miembro es elegido en una elección que no sea la elección general para funcionarios estatales y del condado.

Ningún candidato puede tomar medidas para influir en un empleado del cargo al que aspira a ser elegido o en un empleado o funcionario del organismo gubernamental al que aspira a ser elegido en relación con el nombramiento o el empleo de una persona emparentada con el candidato en un grado prohibido, tal como se ha indicado anteriormente. Esta prohibición no se aplica a las acciones de un candidato con respecto a una clase o categoría de buena fe de empleados o empleados prospectos.

NOTAS

¹Una solicitud para un lugar en la boleta electoral, incluida cualquier petición que la acompañe, es información pública inmediatamente después de su presentación. (Sección 141.035, Código Electoral de Texas)

²La inclusión del número único de identificación de votante (VUID, por sus siglas en Inglés) es opcional. Sin embargo, a muchos candidatos se les exige que estén registrados como votantes en el territorio desde el cual se elige el cargo en el momento de la fecha límite de presentación. Por favor, visite el sitio web de la División de Elecciones de la Secretaría de Estado para obtener información adicional. <http://www.sos.state.tx.us/elections/laws/hb484-faq.shtml>

³La prueba de liberación de las discapacidades resultantes de una condena por un delito grave incluiría prueba de clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701, prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01, o prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05. (Opinión de Fiscal General de Texas KP-0251)

Se debe enviar uno de los siguientes documentos con esta solicitud:

Clemencia judicial según el Código de Procedimiento Penal de Texas 42A.701

Prueba de indulto ejecutivo según el Código de Procedimiento Penal de Texas 48.01

Prueba de una restauración de derechos según el Código de Procedimiento Penal de Texas 48.05

⁴Todos los juramentos, declaraciones juradas o afirmaciones hechas dentro de este estado pueden ser administrados y un certificado del hecho dado por un juez, secretario(a) o comisionado de cualquier corte de registro, un notario público, un juez de paz, secretario municipal (para una oficina de la ciudad) y el Secretario de Estado de Texas. Consulte el Capítulo 602 del Código del Gobierno de Texas para obtener la lista completa de personas autorizadas a administrar juramentos.

CODE OF FAIR CAMPAIGN PRACTICES

**FORM CFCP
COVER SHEET**

Pursuant to chapter 258 of the Election Code, every candidate and political committee is encouraged to subscribe to the Code of Fair Campaign Practices. The Code may be filed with the proper filing authority upon submission of a campaign treasurer appointment form. Candidates or political committees that already have a current campaign treasurer appointment on file as of September 1, 1997, may subscribe to the code at any time.

Subscription to the Code of Fair Campaign Practices is voluntary.

OFFICE USE ONLY

Date Received

Date Hand-delivered or Postmarked

Date Processed

Date Imaged

1 ACCOUNT NUMBER
(Ethics Commission Filers)

2 TYPE OF FILER

CANDIDATE

POLITICAL COMMITTEE

If filing as a candidate, complete boxes 3 - 6, then read and sign page 2.

If filing for a political committee, complete boxes 7 and 8, then read and sign page 2.

3 NAME OF CANDIDATE
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)

FIRST

MI

NICKNAME

LAST

SUFFIX (SR., JR., III, etc.)

4 TELEPHONE NUMBER OF CANDIDATE
(PLEASE TYPE OR PRINT)

AREA CODE

PHONE NUMBER

EXTENSION

()

5 ADDRESS OF CANDIDATE
(PLEASE TYPE OR PRINT)

STREET / PO BOX:

APT / SUITE #:

CITY:

STATE:

ZIP CODE

6 OFFICE SOUGHT BY CANDIDATE
(PLEASE TYPE OR PRINT)

7 NAME OF COMMITTEE
(PLEASE TYPE OR PRINT)

8 NAME OF CAMPAIGN TREASURER
(PLEASE TYPE OR PRINT)

TITLE (Dr., Mr., Ms., etc.)

FIRST

MI

NICKNAME

LAST

SUFFIX (SR., JR., III, etc.)

GO TO PAGE 2

CODE OF FAIR CAMPAIGN PRACTICES

There are basic principles of decency, honesty, and fair play that every candidate and political committee in this state has a moral obligation to observe and uphold, in order that, after vigorously contested but fairly conducted campaigns, our citizens may exercise their constitutional rights to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) I will conduct the campaign openly and publicly and limit attacks on my opponent to legitimate challenges to my opponent's record and stated positions on issues.
- (2) I will not use or permit the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or the candidate's personal or family life.
- (3) I will not use or permit any appeal to negative prejudice based on race, sex, religion, or national origin.
- (4) I will not use campaign material of any sort that misrepresents, distorts, or otherwise falsifies the facts, nor will I use malicious or unfounded accusations that aim at creating or exploiting doubts, without justification, as to the personal integrity or patriotism of my opponent.
- (5) I will not undertake or condone any dishonest or unethical practice that tends to corrupt or undermine our system of free elections or that hampers or prevents the full and free expression of the will of the voters, including any activity aimed at intimidating voters or discouraging them from voting.
- (6) I will defend and uphold the right of every qualified voter to full and equal participation in the electoral process, and will not engage in any activity aimed at intimidating voters or discouraging them from voting.
- (7) I will immediately and publicly repudiate methods and tactics that may come from others that I have pledged not to use or condone. I shall take firm action against any subordinate who violates any provision of this code or the laws governing elections.

I, the undersigned, candidate for election to public office in the State of Texas or campaign treasurer of a political committee, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct the campaign in accordance with the above principles and practices.

Signature

Date

APPOINTMENT OF A CAMPAIGN TREASURER BY A CANDIDATE

FORM CTA
PG 1

See CTA Instruction Guide for detailed instructions.

1 Total pages filed:

2 CANDIDATE
NAME

MS / MRS / MR FIRST MI

NICKNAME LAST SUFFIX

OFFICE USE ONLY

Filer ID #

Date Received

Date Hand-delivered or Postmarked

Receipt #

Amount \$

Date Processed

Date Imaged

3 CANDIDATE
MAILING
ADDRESS

ADDRESS / PO BOX; APT / SUITE #; CITY; STATE; ZIP CODE

4 CANDIDATE
PHONE

AREA CODE PHONE NUMBER EXTENSION

()

5 OFFICE
HELD
(if any)

6 OFFICE
SOUGHT
(if known)

7 CAMPAIGN
TREASURER
NAME

MS/MRS/MR FIRST MI NICKNAME LAST SUFFIX

8 CAMPAIGN
TREASURER
STREET
ADDRESS

(residence or business)

STREET ADDRESS; APT / SUITE #; CITY; STATE; ZIP CODE

9 CAMPAIGN
TREASURER
PHONE

AREA CODE PHONE NUMBER EXTENSION

()

10 CANDIDATE
SIGNATURE

I am aware of the Nepotism Law, Chapter 573 of the Texas Government Code.

I am aware of my responsibility to file timely reports as required by title 15 of the Election Code.

I am aware of the restrictions in title 15 of the Election Code on contributions from corporations and labor organizations.

Signature of Candidate

Date Signed

GO TO PAGE 2

CANDIDATE MODIFIED REPORTING DECLARATION

FORM CTA
PG 2

11 CANDIDATE
NAME

12 MODIFIED
REPORTING
DECLARATION

COMPLETE THIS SECTION ONLY IF YOU ARE CHOOSING MODIFIED REPORTING

**•• This declaration must be filed no later than the 30th day before
the first election to which the declaration applies. ••**

•• The modified reporting option is valid for one election cycle only. ••
(An election cycle includes a primary election, a general election, and any related runoffs.)

**•• Candidates for the office of state chair of a political party
may NOT choose modified reporting. ••**

I do not intend to accept more than \$1,010 in political contributions or
make more than \$1,010 in political expenditures (excluding filing fees)
in connection with any future election within the election cycle. I
understand that if either one of those limits is exceeded, I will be
required to file pre-election reports and, if necessary, a runoff
report.

Year of election(s) or election cycle to
which declaration applies

Signature of Candidate

This appointment is effective on the date it is filed with the appropriate filing authority.

TEC Filers may send this form to the TEC electronically at treasappoint@ethics.state.tx.us
or mail to

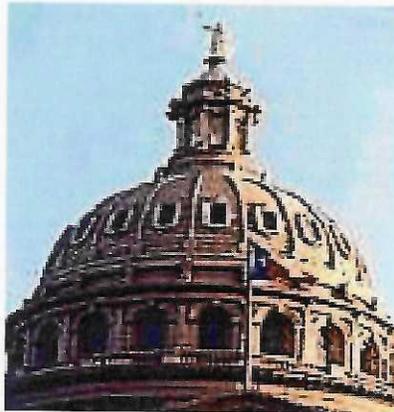
Texas Ethics Commission
P.O. Box 12070
Austin, TX 78711-2070

**Non-TEC Filers must file this form with the local filing authority
DO NOT SEND TO TEC**

For more information about where to file go to:
<https://www.ethics.state.tx.us/filinginfo/QuickFileAReport.php>

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](#).

Texas Ethics Commission
P.O. Box 12070
Austin, Texas 78711-2070

(512) 463-5800

TDD (800) 735-2989

Visit us at www.ethics.state.tx.us.

Revised July 16, 2019

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 and Campaign Signs



Right of Way Division

Interstate and 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:

- 1) not in the highway right of way;
- 2) not in a location that poses a safety hazard (e.g. blocking sight to a driveway); and
- 3) placed with the landowner's permission.

Always make sure to check with local authorities (cities, counties, etc.) as they may have their own restrictions on sign placement.

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 §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." [TEX. TRANS. CODE §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 "Do business"



Select "Right of Way"



Select "View campaign sign laws"

OR

Search Online:
"TxDOT Campaign Signs"

Contact Us

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

www.txdot.gov → About → TxDOT Districts

Then find your county and select the "Discover" link for specific contact information.

For any other questions concerning signs along Texas highways, contact the TxDOT Commercial Signs Regulatory Section:

ROW_OutdoorAdvertising@txdot.gov

or by phone:

(512) 416-3030

ARTICLE XIV. - SIGNS

Sec. 40-382. - Standards.

- (a) The term "sign area" means the entire area within a single continuous perimeter enclosing the actual message or display area of a sign and shall include border and trim, but exclude supports.
 - (1) Areas of stacked or side-by-side signs shall be added together for total sign area.
 - (2) For signs that are back-to-back, only one display face shall be counted in computing sign area.
- (b) Sign height shall be measured from ground level at the base of the sign to the highest part of the sign.
- (c) Lot frontage shall be the number of linear feet fronting on a public street to which a sign is oriented. On corner lots, the frontage street shall be the greater street as classified on the thoroughfare plan. Where two streets are the same, the sign owner may choose the frontage street.
- (d) Building frontage is the front or side portion of a building closest to and most nearly parallel to an abutting street.
- (e) All signs shall conform to the regulations and design standards of the building code and other ordinances of the city. Wiring of all electrical signs shall conform to the electric code of the city.
- (f) Illuminated signs shall be designed, located, shielded, and directed to prevent the casting of glare or direct light from artificial illumination upon adjacent public rights-of-way and surrounding properties.
- (g) No sign shall be placed in or across a street, alley, or other public right-of-way, drainage easement, or utility easement. Any sign so erected or placed shall be removed by the owner. Any damage to or relocation of signs illegally located in public easements or right-of-way shall be the responsibility of the owner of the sign. Any resulting damages to the traveling public shall be borne by the sign owner.
- (h) Whenever a sign is damaged by any cause, is inadequately maintained, or is of faulty construction, it shall be considered a public nuisance and the owner shall be required to repair such sign substantially to its original condition as determined by the building inspector, or at the owner's election such sign shall be removed. Procedures for repairing or removing a damaged nonconforming sign shall be the same as for other nonconforming uses as set forth in article VII of this chapter.
- (i) No sign, permanent or temporary, shall be located to block motorist visibility or cause a traffic hazard.

(Ord. No. 2006-18, § 17-80, 7-25-2006)

Sec. 40-383. - Maximum height.

- (a) No freestanding sign shall be constructed to exceed the maximum heights set forth for the various zoning districts as shown in section 40-134. For zoning districts where no maximum building height is specified, freestanding signs shall not exceed 30 feet in height and roof signs shall not exceed ten feet above the roof eaves.
- (b) To not interfere with motorists vision, freestanding signs shall have a minimum grade clearance of eight feet and monument signs shall not exceed three feet in height, except these requirements shall not apply to freestanding or monument signs that are set back at least 25 feet from the back of curb or from the edge of street pavement, if no curb exists.

(Ord. No. 2006-18, § 17-81, 7-25-2006)

Sec. 40-384. - Permitted; regulations.

- (a) *Planned development district.* In a planned development zoning district, sign standards for each planned development shall be specified on the site plan or in the amending ordinance.
- (b) *Allowable signs in AO and all residential zoning districts.*
 - (1) *Nameplates.* A single nameplate (identifying an on-premises home occupation) shall not exceed two square feet in sign area. Such nameplate may be affixed flat against the building wall or may be a freestanding sign located in the front yard setback if the yard sign does not exceed three feet in height. Only one nameplate shall be allowed per lot frontage of the building site.
 - (2) *Freestanding signs.* Permanent freestanding institutional signs (on-premises signs identifying churches, schools and other public service nonprofit institutions) and freestanding residential development signs (on-premises signs identifying apartments, manufactured home park or manufactured home subdivisions) shall not exceed 40 square feet in sign area. Only one freestanding sign for each institution, apartment complex, or manufactured home park shall be allowed per lot frontage of the building site. A manufactured home subdivision shall be allowed only one sign per major entrance into the subdivision.
 - (3) *Wall signs.* Wall signs to identify institutions and apartment complexes shall not exceed 40 square feet in sign face area. Only one wall sign shall be allowed per building frontage.
 - (4) *Temporary signs.*
 - a. Real estate signs pertaining to the sale or rental of property on which the sign is placed shall not exceed eight square feet in sign area and shall not exceed three feet in height. Only one real estate sign shall be allowed per lot frontage.
 - b.

Construction and development signs shall not exceed 30 square feet in sign area and shall not exceed ten feet in height.

- c. Churches, schools or other institutional signs located in AO or residential areas shall be allowed one portable sign not exceeding 40 square feet in sign area.

(c) *Allowable signs in O, LR, SC, C, and I zoning districts.*

- (1) *Freestanding signs.* A permanent freestanding sign identifying an on-premises business or product, or a temporary on-premises sign (real estate, construction, or development sign), shall not exceed one-half square foot of sign face area per each linear foot of lot frontage with a maximum sign area of 200 square feet. Only one permanent freestanding sign shall be allowed per lot frontage of the building site.
 - (2) *Wall signs.* Permanent wall signs identifying on-premises business or products shall not exceed one square foot of sign area per each linear foot of building frontage with a maximum sign face area of 100 square feet. Only one wall sign shall be allowed per building frontage.
- (d) *Portable signs.* The term "portable signs" means a portable sign is a temporary sign, not affixed or attached to real property, which can be regularly moved from a location at periodic intervals, and which is located upon the premises where the business, profession, activity, commodity, or service referred to by the sign is located. The term "portable sign" also includes a sign mounted on a trailer or wheels or one that can be towed from one location to another by the use of attached wheels or by attaching an axle to existing mounts, or any sign affixed by a pole to a portable base.
- (1) *Zoning districts; spacing standards.* A portable sign shall comply with the requirements of the zoning district in which it is located. In addition, no portable sign over 12 square feet in sign area shall be located within 100 feet of another portable sign over 12 square feet in sign area.
 - (2) *Sign identification.* Portable signs shall permanently display on the sign frame in easily readable form the name, current address, city, zip code and telephone number of the sign owner.
 - (3) *Sight restrictions.* No portable sign, regardless its size, shall be located in such a manner that it creates or causes a sight restriction on any public street, intersection, or private driveway.
 - (4) *Sign anchoring.* All portable signs shall be securely anchored to the ground to resist movement or overturning from the wind or other forces.
 - (5) *Electrical power.* Portable signs may be internally or indirectly lighted. The source of electrical power for any portable sign shall be an approved electrical outlet or receptacle with ground fault protection located not more than ten feet from the sign. Power cords or extension cords used for connecting the sign to the electrical source shall not be laid across or over pedestrian or vehicular pathways.

(e)

City/county sponsored signs. The city or county may erect signs on public-owned property in any zoning district where there is a determination and approval of the city council which finds that the display of the sign promotes a positive image of the city or county for the attraction of business or tourism, depicts an accomplishment of an individual or group, and creates a positive community spirit. Upon such order, the city can authorize, upon approved construction plans, a sign on a city water tower, an entrance sign to be located on public-owned property such that it is visible from a major thoroughfare as designated in the current major thoroughfare plan, or a sign to be located on public rights-of-way.

(Ord. No. 2006-18, § 17-82, 7-25-2006)

Sec. 40-385. - Prohibited signs.

Within the corporate limits of the city the following signs shall be prohibited:

- (1) Advertising signs (billboards) shall be prohibited in the city, except for advertising signs that are allowed adjacent to U.S. Highway 87, U.S. Highway 54, and U.S. Highway 385 that are regulated by the Texas Department of Transportation (TxDOT). Such signs shall comply with TxDOT regulations that control outdoor advertising signs along primary highways;
- (2) Signs which imitate or resemble any official traffic control devices or railroad signs or signals;
- (3) Signs on any telephone or electric light pole located in any street, alley, sidewalk, park or parkway within the city;
- (4) Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features;
- (5) Signs that contain vulgar, lewd or pornographic figures, pictures, paintings, drawings, words, characters or symbols.

(Ord. No. 2006-18, § 17-83, 7-25-2006)

Sec. 40-386. - Signs in required yards allowed in certain districts.

Signs in the zoning districts designated in this article may be located within the front yard if the sign area does not exceed 50 square feet in the O or LR zoning districts or 80 square feet in the SC, C or I zoning districts, or the maximum sign areas required in section 40-384, whichever is less.

(Ord. No. 2006-18, § 17-84, 7-25-2006)

Sec. 40-387. - Timely removal of political signs.

Political signs may be placed no more than 45 days prior to the election to which they pertain and shall be removed within 14 days following the election or runoff for which such sign was intended.

(Ord. No. 2006-18, § 17-85, 7-25-2006)

Sec. 40-388. - Lighting standards.

Lighted signs shall be constructed so as to conceal the light source in the R-1, R-2, R-3, MD, A, MH, O, LR or residential PD zoning districts. Signs shall not contain, include, or be illuminated by any flashing, intermittent, or moving light. No sign in any residential zoning district shall be illuminated between the hours of 10:00 p.m. and 6:00 a.m.

- (1) A permit shall be required for placement of all portable signs and all permanent signs, except nameplates. A permit is not required where the only alteration to the sign is painting or replacement of the sign message where the original frame size or sign location is not altered. Prior to placement of the sign, the owner/applicant shall submit to the building inspector an application, sign plans and specifications and information regarding the premises upon where the sign shall be located. If the proposed sign is in compliance with this chapter and all other laws and ordinances of the city, the building inspector shall issue a permit to erect the sign. If the work authorized under a sign permit has not been completed within six months after the date of issuance, the permit shall become null and void and the applicant shall be required to remove any portion of the sign that has been erected.
- (2) There shall be a sign permit fee to be paid at the time the sign permit application is filed with the building inspector. The sign permit fee shall be in accordance with fees set by the city council and kept on file in the office of the city secretary.

(Ord. No. 2006-18, § 17-86, 7-25-2006)

Sec. 40-389. - Owner responsibility.

It shall be the responsibility of the owner of the property upon where a sign is placed or erected to ensure that signs on the property comply with all requirements of this Code.

(Ord. No. 2006-18, § 17-88, 7-25-2006)

Sec. 40-390. - Conflicting ordinances.

No provision of this article shall supersede or replace any other city ordinance, except those provisions pertaining to the use of the various types of signs, sizes and heights in the various zoning districts shall take precedence over all other city ordinances, regulations and standards.

(Ord. No. 2006-18, § 17-89, 7-25-2006)

Secs. 40-391—40-408. - Reserved.