

Memorandum



DATE: 15 November 2013

TO: The Honorable Members of the Transportation and Trinity River Project Committee:
Vonciel Jones Hill (Chair), Lee Kleinman (Vice Chair), Deputy Mayor Pro Tem Monica Alonzo,
Mayor Pro Tem Tennell Atkins, Sandy Greyson, Sheffie Kadane

SUBJECT: Regulation of Carrying and Displaying Signs Near and Above Highways

The Dallas Police Department will discuss the content of the current City Ordinance regarding the carrying and displaying of signs near and above highways and the possible amendments to the ordinance.

Please contact me if you have any questions.



Ryan S. Evans
Interim First Assistant City Manager

Attachments

c: A.C. Gonzalez, Interim City Manager
Warren M. S. Ernst, City Attorney
Judge Daniel F. Solis, Administrative Judge
Rosa A. Rios, City Secretary
Craig D. Kinton, City Auditor
Jill A. Jordan, P. E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Theresa O'Donnell, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor and Council

The Dallas City Code

SEC. 28-158.1. PROHIBITING THE CARRYING OF SIGNS ON, OVER, OR NEAR FREEWAYS.

(a) In this section, SIGN means any device, flag, light, figure, picture, letter, word, message, symbol, plaque, poster, or other thing that is designed, used, or intended to advertise or inform.

(b) A person commits an offense if he carries or otherwise displays a sign on, over, or within 75 feet of the roadway of any of the following streets or highways in a manner intended to attract the attention of vehicle occupants on those streets or highways:

STREET	EXTENT
Central Expressway	Live Oak Street, north to the city limits, and Park Row to Overton Road
Central Expressway (Elevated Bypass)	Central Expressway (north) at approximately Woodall Rodgers Freeway to Central Expressway (south) at approximately Grand Avenue
C. F. Hawn Freeway	All portions within the city
Interstate Highway 20	All portions within the city
Interstate Highway 30	All portions within the city
John W. Carpenter Freeway	All portions within the city
Julius Schepps Freeway	All portions within the city
Lyndon B. Johnson Freeway	All portions within the city
Marvin D. Love Freeway	All portions within the city
R. L. Thornton Freeway	All portions within the city
Spur 408	All portions within the city
Stemmons Freeway	All portions within the city
Walton Walker Boulevard	Stemmons Freeway to Irving, Texas, city limits
Woodall Rodgers Freeway	All portions within the city

(c) It is a defense to prosecution under Subsection (b) that the sign was:

- (1) intended to summon police, fire, medical, or other emergency assistance;
- (2) attached to a vehicle travelling on the street or highway;
- (3) a directional, warning, or other official sign authorized by city, state, or federal law; or
- (4) a non-governmental sign authorized by city, state, or federal law. (Ord. 20169)

Regulation of Carrying and Displaying Signs Near and Above Highways

Presented to the Transportation and Trinity
River Project Council Committee (TTRPC)

18 November 2013



SEC. 28-158.1. PROHIBITING THE CARRYING OF SIGNS ON, OVER, OR NEAR FREEWAYS

- ❖ A person commits an offense if he carries or otherwise displays a sign on, over, or within 75 feet of the roadway of any of the specified streets or highways listed in the ordinance in a manner intended to attract the attention of vehicle occupants on those streets or highways.

Issues / Concerns

- 1) Special public safety consideration for overpasses
- 2) Distraction of motorists on high-speed freeways
- 3) Safety of demonstrators and law enforcement officers

Other Laws

- 1) TX Penal Code SEC 42.03. OBSTRUCTING HIGHWAY OR OTHER PASSAGEWAY
- 2) Dallas City Code SEC 28-157. PEDESTRIANS PROHIBITED FROM CROSSING OR WALKING ON OR ALONG CERTAIN STREETS OR FREEWAYS
- 3) Dallas City Code SEC 3-1. ADVERTISING BY CERTAIN ACTS PROHIBITED
- 4) TX Transportation Code SEC 552.006. USE OF SIDEWALK: a pedestrian may not walk along and on a roadway if an adjacent sidewalk is provided
- 5) TX Transportation Code SEC 393.002. SIGN PLACEMENT PROHIBITED: prohibits a person from placing a sign in the right-of-way of a public road
- 6) TX Transportation Code SEC 393.0025. MUNICIPAL AUTHORITY TO REGULATE SIGN PLACEMENT: prohibits a person from placing a sign on the right-of-way of a road maintained by a municipality

Recommendations

- 1) Define key terms in the ordinance to make it easier to enforce
- 2) Broaden the ordinance to include other conduct that distracts motorists
- 3) Delete the 75-foot requirement so that the ordinance prohibits only conduct that distracts motorists on main lanes of highways
- 4) Add President George Bush Turnpike to list of highways where conduct is prohibited

Discussion