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 Librio, 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:

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

(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