

CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE: Introduce Ordinance Amending Lodi Municipal Code Title 9, Public Peace, Morals, And Welfare, By Adding Chapter 9.19 – Political Sign Regulations

MEETING DATE: July 3, 2002

PREPARED BY: City Clerk

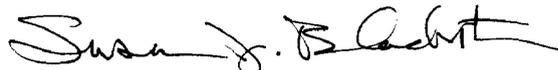
RECOMMENDED ACTION: That Council introduce the attached ordinance amending Lodi Municipal Code Title 9, Public Peace, Morals, and Welfare, by adding Chapter 9.19 – Political Sign Regulations.

BACKGROUND INFORMATION: Ambiguity in the Lodi Municipal Code related to political sign regulations has caused confusion during past elections. Currently there is no definition, or concise requirements, related to appropriate placement, size, or removal of political signs. In order to make it clear to candidates and those supporting or opposing candidates and/or measures, it is recommended that Chapter 9.19, Political Sign Regulations, be added to the Lodi Municipal Code.

The subject ordinance will prohibit the posting of political signs on public property and in the public right-of-way, more clearly define these areas, and provide guidelines on the posting of signs on private property. In addition, it will address size and removal of political signs, including the authority for City staff to remove any signage not in accordance with the code. In previous elections a \$100 cash deposit was required by candidates at the time they filed their nomination papers, as an incentive to remove signs after the election. It was stipulated that the deposit would be returned "when it was determined that all of the candidate's signs were removed within the 30-day time frame"; however, no such determination or enforcement was made and checks were automatically returned. In-lieu of requiring a deposit, the proposed ordinance specifies that persons responsible for illegal posting shall be liable for the actual cost of sign removal by the City should it become necessary. Such removal would be handled by the Code Enforcement Division of the Community Development Department.

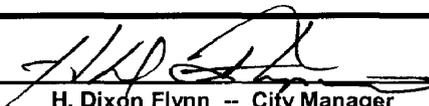
If approved, this ordinance will take effect prior to the General Municipal Election in November and be in effect for all City-wide elections. The proposed ordinance has been reviewed and approved by both the Community Development Director and the City Attorney.

FUNDING: None required.



Susan J. Blackston
City Clerk

APPROVED: _____



H. Dixon Flynn -- City Manager

DRAFT

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AMENDING TITLE 9, PUBLIC PEACE, MORALS, AND WELFARE BY
ADDING CHAPTER 9.19 – POLITICAL SIGN REGULATIONS

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

SECTION 1. The following sections are added to the Lodi Municipal Code to read as follows:

- 9.19.010 Definition
- 9.19.020 Prohibition of political signs on public property and in the public right-of-way
- 9.19.030 Political signs on private property
- 9.19.040 Size
- 9.19.050 Identification
- 9.19.060 Time Period and Removal

9.19.010 Definition.

A “Political Sign” shall mean any sign which is designed to influence the action of the voters for the passage or defeat of a measure appearing on the ballot at any national, state, or local election, or which is designed to influence the action of the voters for the election or defeat of a candidate for nomination or election to any public office at any national, state, or local election.

9.19.020 Prohibition of political signs on public property and in the public right-of-way.

No person shall paint, mark or write on, post, attach, or otherwise affix, any sign to or upon any public property, including but not limited to any public building, sidewalk, crosswalk, curb, fence, wall, public playground equipment, and/or facilities, street lamp post, utility pole, hydrant, tree, street, or traffic signs.

Additionally, no political sign shall be placed, posted, or otherwise affixed in the public right-of-way, including parkways (e.g. the area between curb and sidewalk) or medians.

9.19.030 Political signs on private property.

Political signs may be placed on private property with the consent of the property owner (or person entitled to possession) or their authorized agent, if any, subject to the following:

- A. They will not be placed in a manner that obstructs either vehicular traffic (either by physical obstruction or obstruction of sight lines) or pedestrian traffic. They shall not present a physical danger to persons or property.

9.19.040 Size.

The maximum display area for a political sign on residential property is sixteen (16) square feet per sign face.

The maximum display area for a political sign on commercial or industrial property is thirty-two (32) square feet per sign face.

9.19.050 Identification.

Every political sign shall contain the name, address, and telephone number of a person who can be contacted regarding removal of the sign.

9.19.060 Time Period and Removal.

No political sign shall be erected or maintained by or on behalf of a candidate prior to his/her filing of official nomination papers for public office. All political signs shall be removed within ten (10) days after the election. With respect to ballot measures, no political sign shall be erected or maintained prior to the qualification of a measure for the ballot, and shall be removed within ten (10) days after the election.

Any sign, which is an immediate peril or menace to the public or any person, may be removed summarily (without notice) by employees of the City.

Any sign found posted, or otherwise affixed, upon any public property or in any public right-of-way, or in violation of this Chapter may be removed summarily by employees of the City. The person responsible for any such illegal posting shall be liable for the cost incurred in the removal thereof and the City is authorized to effect the collection of said cost.

Any sign summarily removed shall be stored for at least ten (10) days and may be retrieved after payment of the actual cost of the sign removal.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. This ordinance shall be published one time in the "Lodi News Sentinel," a daily newspaper of general circulation printed and published in the City of Lodi and shall take effect thirty days from and after its passage and approval.

Approved this ____ day of _____, 2002

PHILLIP A. PENNINO
Mayor

Attest:

SUSAN J. BLACKSTON
City Clerk

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State of California
County of San Joaquin, ss.

I, Susan J. Blackston, City Clerk of the City of Lodi, do hereby certify that Ordinance No. _____ was introduced at an adjourned regular meeting of the City Council of the City of Lodi held July 3, 2002, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held _____, 2002 by the following vote:

AYES: COUNCIL MEMBERS –
NOES; COUNCIL MEMBERS –
ABSENT: COUNCIL MEMBERS –
ABSTAIN: COUNCIL MEMBERS –

I further certify that Ordinance No. _____ was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

SUSAN J. BLACKSTON
City Clerk

Approved as to Form:

RANDALL A. HAYS
City Attorney