



Legislation Text

File #: 12-1525, **Version:** 2

Supervisor Sweeney recommending the Board ratify Agenda Item No. 15 from May 10, 1994 (copy attached) regarding the placement of campaign signs in the county.

The Director of Transportation at the time, brought to the attention of the Board that campaign signs were being placed in violation of the law which should not occur and that when it did the Department of Transportation should remove offending signs and recover costs.

Placement of signs within the State and County right-of-ways is in violation of many laws; at least the following: (1) Section 1480 et. seq. of the Streets and Highways code, (2) Section 5460 et. seq. of the Business and Professions Code, (3) Section 556 et. seq. of the Penal Code, (4) Section 5403 et. seq. of the Business and Professions Code (aka the Outdoor Advertising Act), (5) Section 12.08.090 of the County Ordinance Code, and probably other laws. Further, placement of signs on private property without the property owners consent is certainly a violation of the owner's rights.

And, contrary to one of the last election's candidate's position, there are no "free zones" for placement of signs in the public right-of-ways! Public right-of-ways are designed so as to give proper sight distance and should not be obstructed with signage not intended to be placed or not placed without a proper encroachment permit.

Action:

I propose the Board ratify and direct to be enforced the action taken on item #15 of the May 10, 1994 agenda as follows: "Direct that (1) all candidates place their signs in conformance with law, (2) provide a seven-day period to ensure compliance, and (3) direct the Department of Transportation to remove offending signs remaining after the grace period and recover the cost of removal from the affected candidates." Further, this action should be provided in the Elections Department handout to all candidates.

12.08.090 Obstructions (County Ordinance Code)

It is unlawful for any person to place or maintain any obstruction on any portion of the right-ofway of any county highway without having first obtained an encroachment permit therefor, or in violation of any of the provisions or conditions of the permit or of this chapter.