

City of Santa Barbara

Office of the City Attorney

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Stephen P. Wiley · City Attorney · Tel: 805.564.5326 · Fax: 805.897.2532

Street Address: 740 State Street, Suite #201 Santa Barbara, California 93101

Mailing Address: Post Office Box 1990 Santa Barbara, California 93102

July 1, 2009

TO:

All Candidates, Campaign Committees, and Campaign

Volunteers

RE:

Election Signs

This summary is provided in response to questions which have been raised regarding the City of Santa Barbara's regulation of temporary elections signs. Election Signs are defined in the City's Sign Ordinance as non-commercial signs pertaining to a federal, state, or local election. Signs include any physical form of visual communication, with or without lettering. Additional information on sign standards and the definitions that may apply can be found in the Sign Ordinance of the City of Santa Barbara, as codified in Chapter 22.70 of the Santa Barbara Municipal Code ("SBMC"). [The entire Municipal code is available at the City's website.]

In general, the City requires a sign permit for the installation of signs. However, Election Signs may be installed without a permit, when <u>all</u> of the following requirements are met:

- 1. SIZE. The sign may not exceed six (6) square feet total for each lot in residential zones, or twenty-four (24) square feet total for each lot in non-residential zones (SBMC Section 22.70.030.B.5). Temporary (30 days or less) window signs on commercial buildings may not exceed the greater of four (4) square feet or fifteen percent (15%) of the window area of each facade (SBMC Section 22.70.030.B.19).
- 2. <u>CONSENT</u>. Placement of a sign must be permitted by the property owner or tenant in possession of the property (SBMC Section 22.70.030.B.5).
- 3. <u>TIME LIMIT</u>. The sign may not be displayed for more than 90 days prior to the election or for more than 10 days following the election (SBMC Section 22.70.030.B.5).
- 4. PUBLIC PROPERTY AND STRUCTURES. No election signs may be erected, installed, placed, or maintained in or on any public property, including sidewalks and parkways (SBMC 22.70.030.D.1.) A sign may also not be attached or placed adjacent to any utility pole, traffic sign post, traffic signal, historical

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marker, or other official traffic control device (SBMC Section 22.70.030.C.2 and 22).

Please note that the grass or landscaped area between a curb and a sidewalk is generally part of the City's right-of-way (i.e. the "parkway") within which Elections Signs are <u>not</u> permitted. I want to emphasize the potential public safety concerns with the improper placement of election signs within street rights-of-way since these signs often create a dangerous visual obstruction for both drivers and pedestrians.

5. <u>VISUAL CLUTTER</u>. Portable and mobile signs, bench signs, banners, roof signs, rotating, moving, changing, reflective or blinking signs are prohibited (SBMC Section 22.70.030.C).

I firmly believe that a fair and vigorous and open campaign can be conducted without violating the City's Sign Ordinance and trust that you will approach the upcoming City Council election campaign in that spirit. I am pleased to say my office has not found it necessary to act to enforce these rules in the recent past because candidates and their supporters have almost always respected the rules.

Should you have any questions regarding the interpretation of this ordinance or its application to your campaign, please do not hesitate to contact the Santa Barbara City Attorney's office.

Very truly yours.

Stephen P. Wiley

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