



# Temporary Signs and Enforcement

Nov 1, 2022

# Current Sign Code 18.115

- Intent
  - The intent of these provisions is to maximize establishment identification, minimize visual clutter, and maintain a high quality of signs throughout the city.

# Recent Changes Due to Case Law

- Supreme Court, **Reed v. Town of Gilbert**
  - Makes it unlawful to regulate signage based on the content of the sign
  - This essentially makes jurisdictions address signs such as garage sale signs, open house signs and church signs the same
  - Due to this, the sign code has been drafted to regulate based on zoning district and not content.

# Recent Changes Due to Case Law



- With current case law, all of the above signs are treated the same
- We can not regulate one different from the other
- This can include signs that some might find offensive or conflict with their views



# Sign Clutter

- Code Enforcement removes anywhere from **75 to 175** signs per week. This includes advertising signs for services, garage sale signs, open house signs and directional signs.



# Sign Clutter











# A normal Saturday









# Enforcement based on zoning, size and location- similar to other Cities

- Can't be in a location that is
  - hazardous to public safety
  - obstructs clear vision in the area
  - interferes with the requirements of the Americans with disabilities act
- Can't be judged based on content
- Can regulate size and number
- Can require a permit or not

# Hurdles

- Unable to identify differences (Reed v. Gilbert) between types of temporary signs
- Use of public right of way for personal/commercial use-  
identifying Right of way location  
throughout the City



# Staff Recommendations

Staff recommends holding a work session to discuss acceptable regulations and revisions to temporary sign code. This will assist with clarity on sign placement and determine desirable setbacks from public right of way.

