

ORDINANCE NO. 2006-04

**AN ORDINANCE OF THE CITY OF AMERICAN CANYON
REGULATING THE PLACEMENT AND REMOVAL OF POLITICAL SIGNS**

WHEREAS, the City of American Canyon ("City") wishes to regulate the placement and removal of political signs in association with local, statewide, and national elections in order to avoid the appearance that the City endorses a certain candidate or ballot measure and to reduce the blight caused by the unregulated placement of political signs;

WHEREAS, the City intends such regulation to comply with the Constitutions of the United States of America and of the State of California;

WHEREAS, the City recognizes that to the extent that placement of political signs is not contrary to the intent and purposes stated herein, it is in the best interests of the City and its inhabitants to allow political expression, and, for that reason, it is best to avoid the total prohibition of political signs;

WHEREAS, the City believes that the reasonable regulation of political signs will obviate many of the objections that have been raised to the unregulated placement of political signs, especially upon city public property;

WHEREAS, the City wishes to define certain terms necessary to properly effect the reasonable regulation of political signs.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAIN THE FOLLOWING:

SECTION 1: Section 19.23.120 of the City of American Canyon Municipal Code ("City Code") entitled "Definitions and interpretations" is hereby amended to include the following definitions in alphabetical order with relation to the definitions already present:

"Political Signs" means a sign erected prior to an election to advise or identify a candidate, campaign issue, election proposition, or other related matters.

"Public Right of Way" means any area of real property dedicated to or owned in fee by the City or the public or any other public body, or over which the City or the public or any other public body holds an easement for public street, alley, sidewalk, pedestrian, equestrian, or public utility purposes which is within the City boundaries excluding areas of real property which are on, or adjacent to, the side or rear yard of any parcel or any area within the curtailage of any parcel.

SECTION 2. City Code section 19.23.030 (O) is hereby repealed and the organizational lettering is accordingly re-lettered.

SECTION 3. City Code section 19.23.035, entitled "Regulation of Political Signs" is hereby added to the City Code and contains the following:

In addition to those signs exempt from regulation pursuant to City Code section 19.23.030, political signs as defined by City Code section 19.23.120 shall also be exempted subject to compliance with all of the rules and all of the regulations set forth in subsection (A) herein.

A. Regulations. The placement or installation of political signs in the City of American Canyon shall in all respects comply with the following:

- (1) No political signs shall be installed or displayed sooner than **ninety (90) days** preceding the election for which the sign is intended;
- (2) No political sign shall be lighted either directly or indirectly;
- (3) No political sign shall be placed on private property, vacant or otherwise, without the permission of the owner of said property;
- (4) No political sign shall be posted on any public property or in the public right-of-way;
- (5) No political signs shall be posted in violation of any other provisions of the Municipal Code;
- (6) All political signs shall **be removed within ten (10) days** and recycled by the Department of Public Works after the date of the election except that a sign on behalf of a candidate who is successful in a primary election may be retained for the general election. Removal of political signs shall be the responsibility of the property owner;
- (7) The **Director of Public Works** and the **Chief of Police** shall have the right to remove all signs which obstruct visibility on City streets or could contribute to a dangerous condition of public property;
- (8) The **Director of Public Works** shall have the right to remove all signs placed contrary to any provisions of this section;
- (9) The City Council shall from time to time establish procedures by resolution providing for forfeitable deposits by candidates posting political signs within the City of American Canyon.

B. Unauthorized Removal of Political Signs. No person shall remove, destroy, relocate, or otherwise disturb any political sign without the permission of the party who erected the sign. It shall be presumed, as to signs for political candidates, that the political candidate or his or her representative is the party who erected the sign. It shall further be assumed that the committee who has

registered with the Secretary of the State to support a position on a ballot proposition is the party who erected the sign taking the position on a ballot measure. Nothing in this subsection shall prohibit the owner of real property, or his or her authorized representative, from removing a sign from his or her property when the political sign has been erected without his or her consent; and provided, further, nothing in this subsection shall prevent the **Director of Public Works** or his authorized representatives from taking action to abate sign violations pertaining to political signs pursuant to section 19.23.090 of this chapter.

SECTION 4. Effective Date.


The foregoing ordinance was introduced and read at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 20th day of July, 2006, was continued, revised and read on a regular meeting of the City Council of the City of American Canyon, State of California, held on the 3rd day of August, 2006 and was passed and adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 17th day of August, 2006 by the following vote:

AYES:	Shaver, Garcia, Anderson, Bennett, Coffey
NOES:	None
ABSENT:	None
ABSTAIN:	None



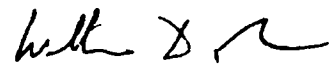
Cecil Shaver, Mayor

ATTEST:

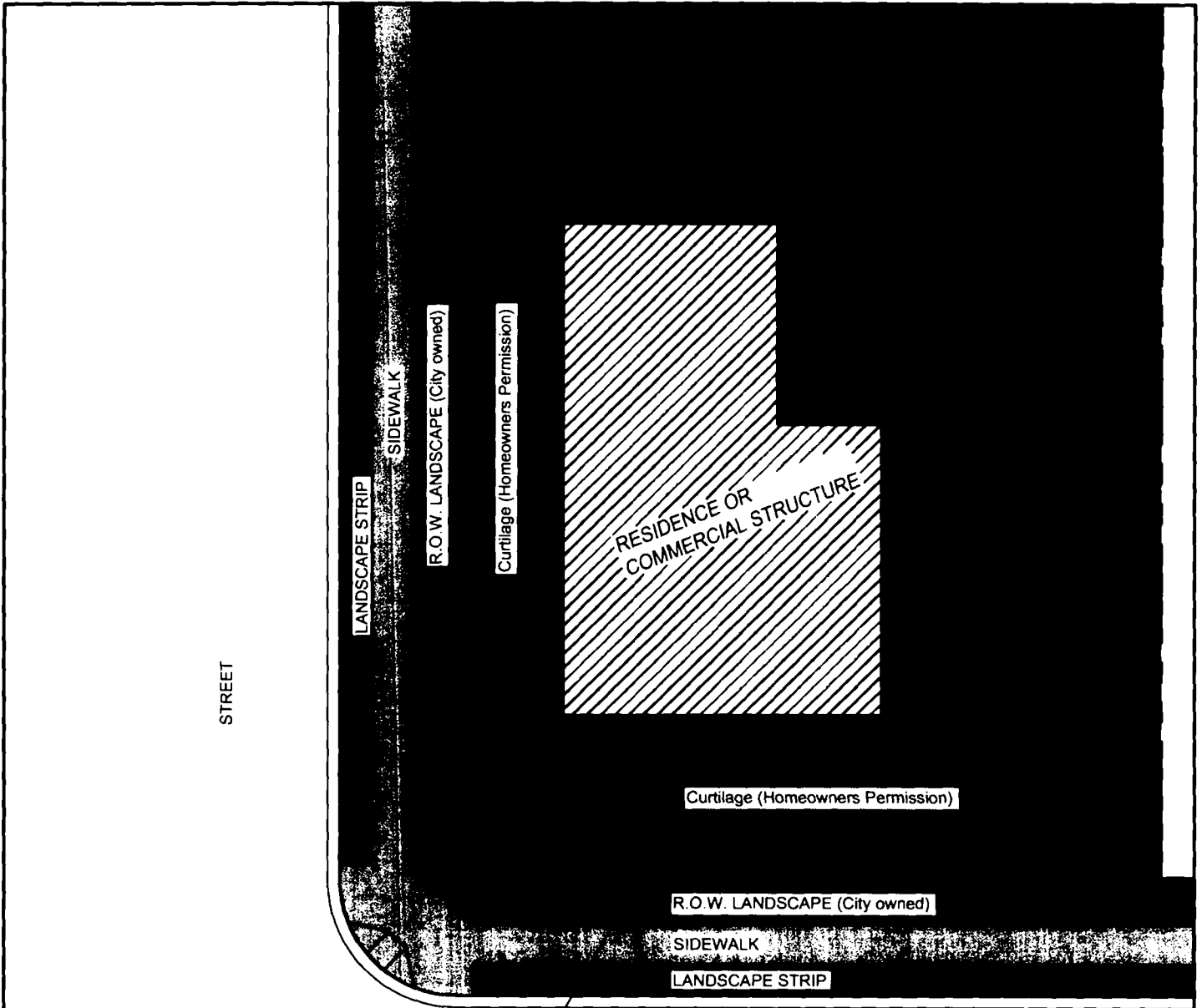


Kay Woodson, City Clerk

APPROVE AS TO FORM:



William D. Ross, City Attorney



Curtilage in this example does not include the landscape strip or the landscaped portion of the city Right-of-Way



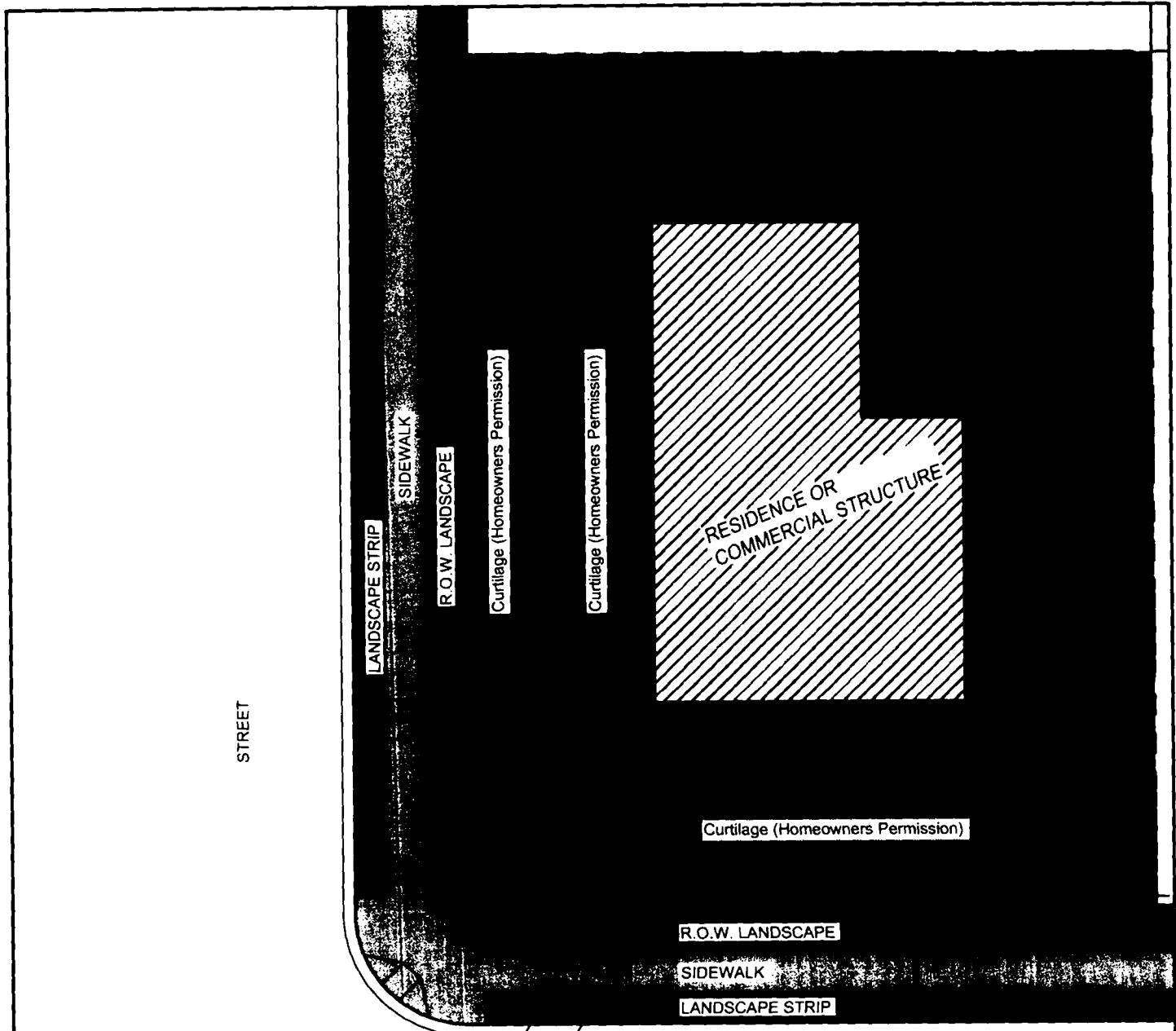
CITY OF AMERICAN CANYON

Curtilage Example
#1

DATE	09/11/06
SCALE	1"=20'
STANDARD DWG. #	?0.0?

DATE	REVISIONS

Rich Ramirez CITY MANAGER



Curtilage in this example does not include the landscape strip or the landscaped portion of the city Right-of-Way but does include the portion of privately owned Landscape outside of the fence

CITY OF AMERICAN CANYON

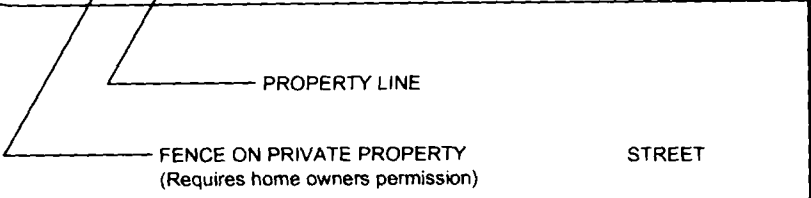
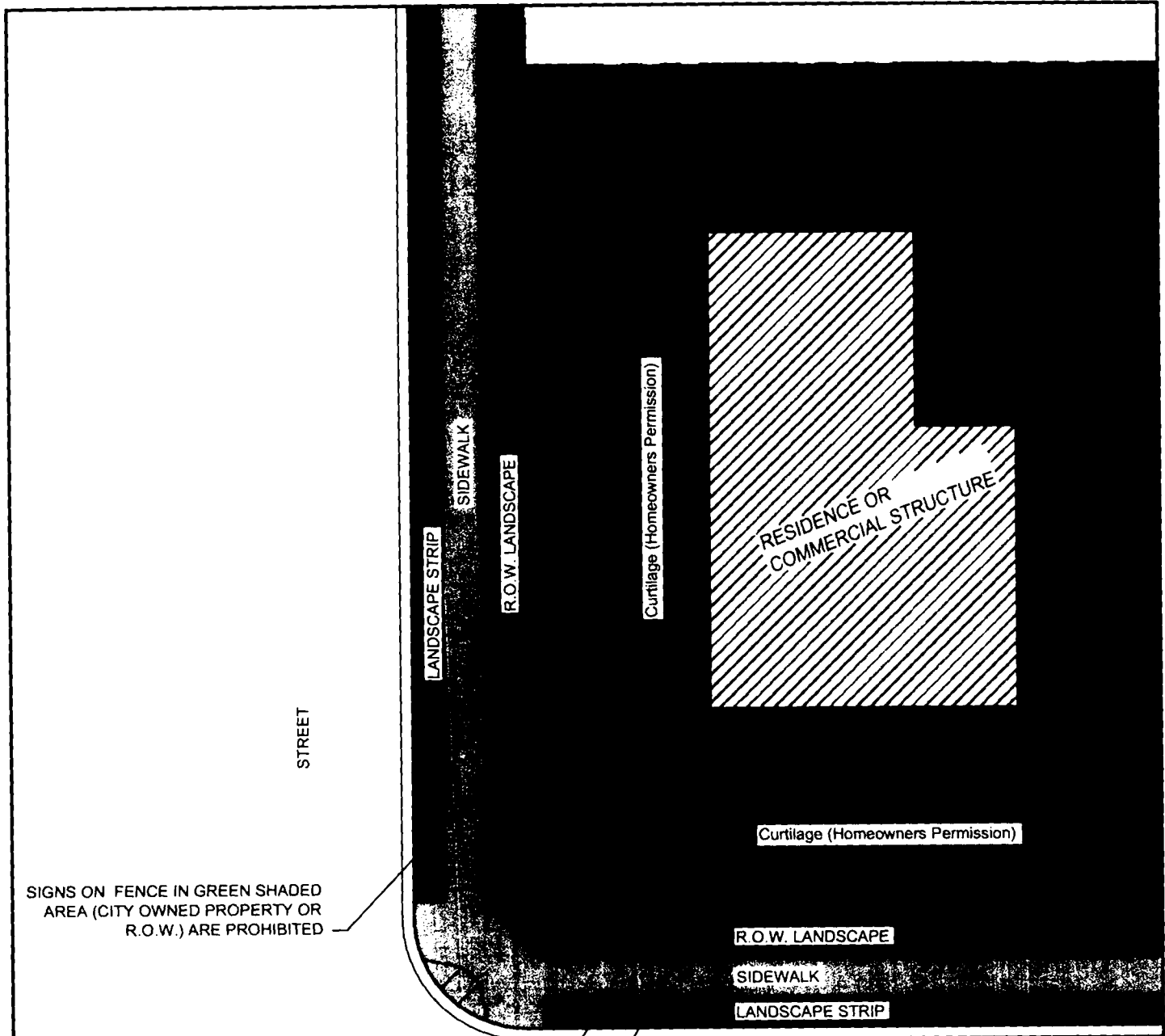


DATE	REVISIONS

Curtilage Example
#2

Rich Ramirez CITY MANAGER

DATE	09/11/06
SCALE	1"=20'
STANDARD DWG. #	?0.0?



Curtilage in this example does not include the landscape strip or the landscaped portion of the city Right-of-Way and the portion of fence that is located in the Right-of-Way.



CITY OF AMERICAN CANYON

		Curtilage Example #3	DATE 09/11/06
			SCALE 1"=20'
			STANDARD DWG. # ?0.0?
DATE	REVISIONS	Rich Ramirez	CITY MANAGER