
ARTICLE III. POLITICAL SIGNS*

* Adopted by Ord. No. 85.64, 12/14/64; amended by Ord. No. 33.77, 5/23/77; old Art. III repealed and new Art. III adopted by Ord. No. 33.78, 10/9/78; amended by Ord. No. 13.94, 9/13/94. Art. III amended in its entirety by Ord. 24.95, 12/12/95.

SEC. 3.19. Statement of legislative purpose.

The freedom of political expression and the exchange of political ideas are fundamental principles of our constitutional system and an integral part of a free society. The purpose and intent of this article is to provide minimum regulations regarding the posting, maintenance and removal of political signs, in order to protect the rights of political candidates and property owners as well as the health, safety and general welfare of the citizens of Mountain View. Because political signs are typically temporary in character, they need not comply with ordinary structural requirements pertaining to other types of signs found throughout this code; however, if they are not maintained or replaced with more permanent signs, the city will face the possibility of visual clutter, litter and the intrusion of sign materials into the storm drain system. Persons who post political signs shall not be required to obtain the city's prior approval, provided the location of the sign complies with the provisions of this article.

(Ord. No. 33.78, 10/9/78; Ord. No. 24.95, 12/12/95.)

SEC. 3.20. Definitions.

As used in this article, unless otherwise indicated, the following words shall have the meanings set forth below:

"Owner" of a political sign shall mean, for purposes of this article, the candidate, or any person or proponent of a ballot measure or position.

"Person" shall mean any individual, or any entity, including but not limited to any corporation, partnership, political action group or any other person or entity that places or erects a political sign. "Person" shall include a commercial sign company, entity or organization hired to post signs for candidates or ballot measures.

"Political sign" shall mean a temporary sign announcing, supporting or opposing a candidate or issue in connection with any national, state or local election and constructed of cardboard, paper, unreinforced plastic or similar material.

"Post" shall mean the affixing, erection, installation or placement of any political sign on any real or personal property, building or structure.

"Public property" shall mean any highway, street, roadway, improved or unimproved street right-of-way, sidewalk, parkway, public park, utility pole, guy wire, utility structure, public wall or fence, or other type of publicly controlled, owned, leased or maintained property or building, regardless of use, in which the city or any other public agency has a fee, lease or easement interest.

(Ord. No. 33.78, 10/9/78; Ord. No. 24.95, 12/12/95.)

SEC. 3.21. Application of article: Maintenance: Exemptions.

- a. **Application.** No person shall post or maintain any political sign in violation of this article or without the consent of the owner or person entitled to possession of the property or building, if any, or their authorized representative.
- b. **Maintenance of signs.** The owner of any political sign, regardless of where posted, shall maintain, or cause to be maintained, on a continuing basis, each such sign in a state of security, safety and good repair.
- c. **Exemptions.** This article shall not apply to political signs erected inside a building or signs posted and maintained on commercial outdoor advertising signs and billboards, provided the sign or signs as posted are in a location and manner authorized or permitted under this code.

(Ord. No. 24.95, 12/12/95.)

SEC. 3.22. Private property—Authorization by owner.

No person shall erect or display, or cause or authorize any person to erect or display, any political sign on any property not owned or controlled by such person, unless authorized to do so by the owner or the person in control of such property.

(Ord. No. 24.95, 12/12/95.)

SEC. 3.23. Public property—Prohibition on placement: Exception.

No person shall erect or display, or cause or authorize any person to erect or display, any political sign on any public property.

- a. **Exception.** Notwithstanding the prohibition on placement of political signs on public property, the city council shall designate by resolution, public properties upon which political signs may be placed. Political signs placed on public property pursuant to this section shall be posted no sooner than seventy-five (75) days prior to an election, and such signs must be removed within ten (10) days following the election. Each candidate or position on a ballot measure shall be limited to one (1) sign for each public property location designated, and each sign shall comply with the placement and size limitations of this article.

Copies of the resolution shall be available from the Mountain View city clerk.

(Ord. No. 24.95, 12/12/95.)

SEC. 3.24. Maximum size.

No political sign shall exceed sixteen (16) square feet in size.

(Ord. No. 24.95, 12/12/95.)

SEC. 3.25. Removal of improper signs.

- a. Political signs placed on public property in violation of this article may be removed without notice. Political signs placed on private property without the owner's consent may be removed by the owner or person in custody or control of said property.

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- b. Political signs placed on private property in such a manner to obstruct vehicular or pedestrian traffic or in any manner that presents a danger to persons or property may be summarily removed by the city without notice. Any sign so removed shall be stored in the City of Mountain View municipal operations center and the city clerk notified of said removal and storage. Upon notification, the city clerk will attempt to notify the candidate or responsible party of said removal.
 - c. Cost of removal. In each case of removal, the person, organization or entity owning the sign, or causing it to be posted, shall be responsible to the city for the city's actual costs of removal. Said costs of removal shall be deemed a civil debt due and owing the city which may be collected by the appropriate legal means, including, but not limited to, the right of the city to seek restitution as part of the prosecution of a violation of this article as a misdemeanor or infraction.

(Ord. No. 24.95, 12/12/95.)

SEC. 3.26. Unlawful removal or interference.

Except as otherwise provided in this article, it shall be unlawful and in violation of this article to deface, remove, alter, make additions to or conceal a political sign without the consent of the candidate or, in the case of ballot measures, the sponsor of the particular ballot measure position.

(Ord. No. 24.95, 12/12/95.)

SEC. 3.27. Violation as misdemeanor.

In addition to the remedies of this article relating to the removal of improperly posted political signs, any violation of this article shall be deemed a misdemeanor and shall be punishable pursuant to Sec. 1.7 of Chapter 1 of this code.

(Ord. No. 33.78, 10/9/78; Ord. No. 24.95, 12/12/95.)

SEC. 3.28 to 3.49. Reserved for future use.