

City of Apache Junction

Public Works Policies/Procedures Manual

Policy Name: Political Campaign Signs NO. 100-06
Effective Date: 5/20 Revision Date: Page 1 of 2

The public works department is responsible for the city's right-of-ways ("ROWS") and for the safe flow of traffic on city streets. Political campaign signs are allowed in the public ROW installed in compliance with state and local laws. State law governing the sign placement is Arizona Revised Statutes § 16-1019 and First Amendment case law, primarily *Reed v. Town of Gilbert* - U.S.-, 135 S.Ct. 2218, 192.L.Ed.2d 236 (2015).

The city will not remove or relocate any political sign if the following conditions are met:

- A. Signs are placed any time after the day after nominations petition signatures are due in the city clerks' office to qualify for the primary election. Candidate or campaign committee contact person ("responsible party") shall remove signs fifteen (15) days after the election except for those candidates who win a primary election and qualify for the general election, in which case they have fifteen (15) days to remove all posted signage since the election would then be concluded.
- B. Signs have the name and telephone number or website address/email of the candidate or campaign committee contact person. The words "paid for by" followed by the name of the person making the expenditure are printed on the sign and legible.
- C. Signs are not attached to any public utility pole or structure, to include but are not limited to: street sign, light pole, traffic signal, tree, fire hydrant, park bench, railing, bridge, curb, sidewalk, median, street pavement, or city buildings.
- D. Signs not erected in any location where it will obstruct the view of any city authorized traffic sign, signal, or other traffic control device.
- E. Signs are placed a minimum of ten (10) feet back from the edge of pavement if there is no curb to preserve the errant vehicle clear zone.

- F. Signs are not posted in a location where there is an obstruction of vision of the ROW to any vehicle operator during ingress to, egress from, or while traveling on said ROW.
- G. Signs have a maximum area of sixteen (16) square feet if located in an area zoned for residential use or a maximum area of thirty-two (32) square feet if located in any other area, and cannot be higher than six (6) feet in height and elevated more than two (2) feet from the ground.
- H. Signs are maintained and any damaged signs are repaired.

The city will remove or relocate any political sign if the following occurs:

- A. If city deems that the placement of a political sign constitutes an emergency (e.g. signage blocks visibility or vehicles will likely hit signage). City shall notify the responsible party that placed the sign within twenty-four (24) hours after the removal or relocation. City shall retain the sign for at least ten (10) business days to allow the responsible party to retrieve the sign without penalty.
- B. If signs are a non-emergency violation, city may notify the responsible party of the concern. If sign remains in violation at least twenty-four hours after notification, the city will remove the sign. If removed, city shall notify the responsible party and retain the sign for at least ten (10) business days to allow the responsible party to retrieve the sign without penalty.
- C. Signs placed on SR88/Idaho Road locations owned and maintained by the Arizona Department of Transportation ("ADOT"), are not allowed as per A.R.S. § 16-1019. ADOT is responsible for removals and relocations, but city staff may obtain permission from ADOT to remove or relocate if placement is considered dangerous to vehicular/pedestrian traffic.

Public Works Director:



(Signature)

Date 5/18/20