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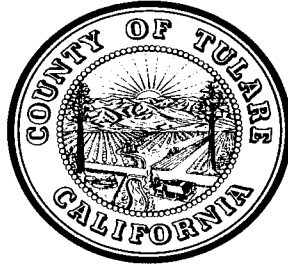
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AGENDA ITEM

AGENDA DATE: August 22, 2006

ITEM NO. _____

SUBMITTED BY: Kathleen Bales-Lange
County Counsel

DATE: August 14, 2006

SUBJECT: Proposed Ordinance adding Chapter 9 to Part II of the Ordinance Code of Tulare County Pertaining to Posting of Signs on County Property.

- REQUESTS:**
- (1) On August 22, 2006, introduce and waive the first reading of the proposed ordinance adding Chapter 9, consisting of sections 2-09-1000 through 2-09-1025, to Part II of the Ordinance Code of Tulare County, pertaining to prohibited marking or posting of any sign, notice, or similar posting on any County property, and exceptions to such.
 - (2) On August 29, 2006, waive the second reading and adopt the proposed ordinance adding Chapter 9, consisting of sections 02-09-1000 through 02-09-1025, to Part II of the Ordinance Code of Tulare County, pertaining to prohibited marking or posting of any sign, notice or similar posting on any County property, and exceptions to such.

SUMMARY: A number of communities over the years have determined that there are public interests to be served by ordinances that prevent the marking or posting of any unauthorized sign, notice or similar posting on local government property. The public interests to be served by this Chapter are:

- 1) prevention of damage to County property;
- 2) avoidance of any appearance of the County's support for a particular product, service, candidate, position or cause, in order to preserve the public confidence in the neutrality of the County Government and, in regard to election matters, the election process;

- 3) protection of the public from undue advertising or influence when conducting business with the County;
- 4) avoidance of administrative burdens associated with the need to monitor the placement of signs on County property, their eventual removal, the removal of improper signs, and arbitrating or litigating disputes regarding the signs;
- 5) preservation of the prominence of official County signs and of lines of sight in the interests of traffic safety and aesthetic considerations;
- 6) continuation of the County's historical practices of limiting signs on County property to those pertaining to official County business.

The purpose of the attached proposed Ordinance is to provide a means to address such public interests by prohibiting the marking or posting of any sign, notice, or similar posting on any County property, unless an exception is fulfilled. Exceptions are for public officers or employees duly authorized by the County Administrative Officer or Board of Supervisors to mark or post on County property, including the posting of official County information or public service information from other local or state public entities. Further, the County Administrative officer is authorized to remove postings or markings in violation of this Chapter and to be reimbursed costs for removal.

It is intended that the County Administrative Officer administer and enforce the provisions of this Chapter. If there are violations that cannot be resolved by the County Administrative Officer, the Sheriff's Department has authority to issue citations for an infraction. The Board of Supervisors may wish to consider modifying this Chapter to involve additional Departments for administration and enforcement of this Chapter.

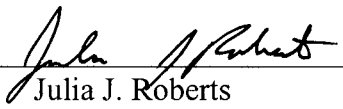
ALTERNATIVES: Modify the ordinance or adopt no ordinance.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

Tulare County Administrative Officer is the administering and regulatory agency. The Sheriff's Office is involved with citing persons in violation of this Chapter with an infraction.

SIGNATURE REQUIREMENTS:

KATHLEEN BALES-LANGE

By  _____
Julia J. Roberts
Chief Deputy County Counsel

For further information, please contact: Nina Dong, Deputy County Counsel at 733-6263.

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BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA

In the Matter of the Introduction and Waiver of the) R E S O L U T I O N
First Reading of an Ordinance Adding Chapter 9,) N O.
Consisting of Sections 2-09-1000 Through 2-09-1025,))
to Part II of the Ordinance Code of Tulare County,))
Pertaining to the Prohibition Against Marking or))
Posting of Any Sign, Notice or Similar Posting on))
County Property.))

Upon motion of Supervisor _____, seconded by Supervisor _____, the following was adopted at a regular meeting of this Board of Supervisors held on _____, 200__, by the following vote:

 AYES: _____
 NOES: _____
 ABSTAIN: _____
 ABSENT: _____

ATTEST: C. BRIAN HADDIX, COUNTY
ADMINISTRATIVE OFFICER/CLERK BOARD OF
SUPERVISORS

By: _____
 Deputy Clerk

Introduced and waived the first reading of an ordinance adding Chapter 9, consisting of sections 2-09-1000 through 2-09-1025, to Part II of the Ordinance Code of Tulare County, pertaining to prohibited marking or posting of any sign, notice, or similar posting on any County property, and exceptions to such.

NFD/2006621/