

ORDINANCE NO.

AN ORDINANCE ADDING CHAPTER 9 TO PART II OF THE ORDINANCE CODE OF TULARE COUNTY, PERTAINING TO THE POSTING OF SIGNS ON COUNTY PROPERTY.

THE BOARD OF SUPERVISORS OF THE COUNTY OF TULARE ORDAINS AS FOLLOWS:

Section 1. Chapter 9, consisting of sections 2-09-1000 through 2-09-1025, is hereby added to Part II of the Ordinance Code of Tulare County to read as follows:

CHAPTER 9. POSTING SIGNS ON COUNTY PROPERTY

ARTICLE 1. GENERAL PROVISIONS

SECTION 2-09-1000. PURPOSES:

- (a) The public interests to be served by this Chapter are enumerated herein:
- 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.
- (b) These restrictions pertain to all signs and all persons. The County hereby finds that there are ample opportunities for the posting of signs on property other than County property, thus there are other reasonable, alternative avenues of communication and this limitation will impose no undue impact on free speech, communication or advertising of any particular product, service, candidate or particular cause.

SECTION 2-09-1005. POSTING ON COUNTY PROPERTY PROHIBITED:

No person, except a public officer or employee duly authorized by the County Administrative Officer or Board of Supervisors, shall erect, construct or maintain, paste, paint, print, nail, tack or otherwise fasten or affix, any card, banner, handbill, campaign sign, poster, sign, advertisement, or notice of any kind, or cause or suffer the same to be done, on any curbstone, lamppost, pole,

bench, hydrant, bridge, wall, tree, sidewalk or structure in or upon any County property, except as may be required or permitted by ordinance or law; no person shall deface, mar or disfigure any bridge, fence, building or other structure belonging to County, or any tree located in any County property or place, by painting, cutting, scratching or breaking the same, or attaching or affixing anything thereto. For the purposes of this provision, County Property means any real or personal property owned, leased or operated by the County and includes County property leased or licensed to third parties.

SECTION 2-09-1010.PERMITTED POSTING OF OFFICIAL COUNTY INFORMATION

Official County information or official public service information from any local or state public entity may be posted on County property by a County officer or employee, who is duly authorized by the County Administrative Officer or the Board of Supervisors.

SECTION 2-09-1015.NON-EXCLUSIVE REGULATION

This Chapter is not the exclusive regulation of posting of signs on County property. It shall supplement and be in addition to any other regulating statutes, ordinances, resolutions and policies heretofore or hereafter enacted by the State, the County, or any other legal entity or agency having jurisdiction.

ARTICLE 2. VIOLATIONS AND REMOVAL

SECTION 2-09-1020.VIOLATIONS:

Any person violating any of the provisions of this Chapter, shall be guilty of an infraction and shall be punishable as provided in section 125 of this Ordinance Code.

SECTION 2-09-1025. REMOVAL:

Any card, banner, handbill, campaign sign, poster, sign, advertisement, or notice of any kind found posted, marked or otherwise affixed upon any County property contrary to the provisions of this section may be removed pursuant to the County Administrative Officer's policy and direction. The person responsible for any such illegal posting shall be liable for the cost incurred in the removal thereof and the County Administrative Officer is authorized to seek and collect this cost.

Section 2. The foregoing ordinance shall take effect thirty (30) days from the date of the passage hereof, and prior to the expiration of fifteen (15) days from the passage hereof shall be published once in _____, a newspaper printed and published in the County of Tulare, State of California, together with the names of the Board of Supervisors voting for and against the same.

THE FOREGOING ORDINANCE was passed and adopted by the Board of Supervisors of the County of Tulare, State of California, on the ____ day of _____, 2006, at a regular meeting of said Board duly and regularly convened on said day by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

Chairman, Board of Supervisors

ATTEST: C. BRIAN HADDIX
County Administrative Officer/
Clerk of the Board of Supervisors
of the County of Tulare

By: _____
Deputy