

ORDINANCE NO. 02015.xx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING THE CITY OF TEMPE ZONING AND DEVELOPMENT CODE, PART 4 – DEVELOPMENT STANDARDS, CHAPTER 9, SECTION 4-902, RELATING TO PROHIBITED SIGNS, AND SECTION 4-903, RELATING TO POLITICAL SIGNS.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

SECTION 1. That Section 4-902 of the Zoning and Development Code, pertaining to subsection (B) Prohibited Signs, is hereby amended to read as follows:

10. *Off-premise/off-site signs* and *portable signs*, except as permitted in Sections 4- 903(C) (Boutique Directional Sign), Section 4-903(J) (Freeway Sign), Section 4- 903(M) (Lead-In Sign), Section 4-903(O) (Political Sign), or Section 4-903(S) (Subdivision/Apartment Community Advertising Sign); AND EXCEPT FOR PORTABLE SIGNS THAT HAVE A MAXIMUM AREA OF FOUR SQUARE FEET ON PRIVATE PROPERTY WITH SOLELY NON-COMMERICAL COPY WHICH ARE HEREBY PERMITTED. FOR THE PURPOSES OF THIS SUBSECTION, THE WEBSITE ADDRESS OF A NON-COMMERCIAL ENTITY USED FOR PURPOSES UNRELATED TO THE ECONOMIC INTERESTS OF THE WEBSITE PROVIDER SHALL BE CONSIDERED NON-COMMERCIAL COPY; and

SECTION 2. That Section 4-903 of the Zoning and Development Code, pertaining to subsection (O) Political Signs, is hereby amended to read as follows:

- O. **Political Sign.** *Political signs* are regulated by this chapter in terms of their location, and time allowance because of the secondary effects associated with such *signs* – namely litter, traffic safety hazards, and aesthetics in general – and not because of their content. Requirements are as follows:

1. THE SIGN shall only be located on property with the owner's permission.
2. THE SIGN shall not be located on city property, ~~in~~ WITH THE EXCEPTION OF WITHIN THE city right-of-way BETWEEN THE OUTER EDGE OF THE SIDEWALK AND THE PROPERTY LINE., ~~or within a required clear vision triangle, per Section 4-702(G)~~

3. THE SIGN SHALL NOT BE LOCATED WITHIN A REQUIRED CLEAR VISION TRIANGLE, PER SECTION 4-702(G), AND SHALL NOT OTHERWISE BE PLACED IN A LOCATION THAT IS HAZARDOUS TO PUBLIC SAFETY, OBSTRUCTS CLEAR VISION IN THE AREA, OR INTERFERES WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT.
4. THE SIGN SHALL HAVE A MAXIMUM AREA OF SIXTEEN (16) SQUARE FEET, IF THE SIGN IS LOCATED IN AN AREA ZONED FOR RESIDENTIAL USE, OR A MAXIMUM AREA OF THIRTY-TWO (32) SQUARE FEET, IF THE SIGN IS LOCATED IN ANY OTHER AREA.
5. THE SIGN CONTAINS THE NAME AND TELEPHONE NUMBER OR WEBSITE ADDRESS OF THE CANDIDATE OR CAMPAIGN COMMITTEE CONTACT PERSON.
6. THE SIGN SHALL BE POSTED ONLY DURING THE PERIOD COMMENCING ONE HUNDRED TWENTY (120) CALENDAR DAYS BEFORE THE PERTINENT ELECTION DATE AND NO MORE THAN FIFTEEN (15) CALENDAR DAYS AFTER THE PERTINENT GENERAL ELECTION DATE, EXCEPT THAT FOR A SIGN FOR A CANDIDATE IN A PRIMARY ELECTION WHOSE NAME WILL NOT APPEAR ON THE BALLOT OF THE GENERAL ELECTION, THE PERIOD ENDS (15) FIFTEEN CALENDAR DAYS AFTER THE PERTINENT PRIMARY ELECTION DATE.
- ~~7.3. Shall be removed within ten (10) days after the relevant election. At the end of the ten (10) day period, the sign becomes an unauthorized sign, as per Section 4-902(C); A SIGN NOT IN COMPLIANCE WITH SUBSECTIONS 1 THROUGH 6 SHALL BE AN UNAUTHORIZED SIGN, PURSUANT TO SECTION 4-903(C).~~
- 4.8. No sign permit is required.
9. NOTWITHSTANDING SUBSECTIONS 4 AND 6, POLITICAL SIGNS THAT HAVE A MAXIMUM AREA OF FOUR SQUARE FEET AND THAT ARE LOCATED ON PRIVATE PROPERTY ARE PERMITTED SIGNS.

SECTION 3. Pursuant to City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA,
this ____ day of _____, 2015.

Mark W. Mitchell, Mayor

ATTEST:

Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

Judith R. Baumann, City Attorney