

## MOTION

The City has various programs that allow 'off site' signs, or what are commonly thought of as advertising signs. Particularly for signs that are at street level, there are significant restrictions on the size, location and type of signage. Importantly, the signs are permitted as part of a program that provides public benefits.

Municipal Code Section 14.4.17, *Temporary Signs on Temporary Construction Walls and Solid Wood Fences surrounding Vacant Lots*, authorizes temporary signs at construction sites and solid walls on vacant lots, but these signs require a permit; are limited to 250 square feet in size and 8 feet in height; and must be made of paper, vinyl or similar materials. The sign companies and property owners must patrol the area within a 750-foot radius of the sign on a daily basis, and abate any graffiti or handbills inside that radius within 24 hours. The Department of Building and Safety issues a small number of permits under this program.

The City allows limited advertising— strictly located as to size, type of location – in exchange for benefits to transit riders. The City operates the *Bus Bench Program* which, in exchange for allowing small static signs, has led to the installation of approximately 6,000 bus benches and 2,000 trash receptacles and generated millions in revenue for the City; and is implementing the *Street and Transit Amenities Program* (STAP), which aims to install 3,000 transit shelters across the City which include signage—again strictly regulated as to size, location and type—with the City sharing in the advertising revenue to pay for the cost of the program and other public improvements in the vicinity of the signs. Both Metro and the Department of Transportation operate advertising programs that generate revenue that helps defray the cost of providing service.

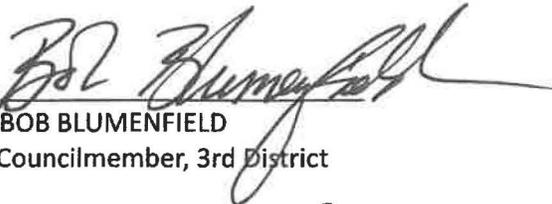
However, there has been a proliferation of unpermitted, illegal “temporary” signs that compete with these programs that provide a public service or generate City revenue. These illegal signs are often installed on construction sites, vacant sites and surface parking lots. Nearly all are far larger than other signs allowed at street level, and many contain bright lights, moving parts and other elements that are not only impermissible under the City’s off-site sign regulations, but also create visual blight and a safety hazard by distracting motorists. Needless to say, none of these illegal signs provide any benefit to the City or its residents.

Indeed, by competing with the City’s established programs, these illegal signs are interfering significantly with the City’s efforts to provide basic amenities for transit riders, remove graffiti and trash, and generate revenue for other community improvements and vital services.

The City’s existing tools to enforce against these illegal signs are inadequate. Although illegal signs can generate tens of thousands of dollars per month in revenue for property owners and sign companies, the fines are so low that they are not a deterrent to these illegal postings.. In addition, because enforcement is complaint-based rather than proactive, signs are removed before any enforcement action is taken.

**I THEREFORE MOVE** that the Council instruct the Department of Building and Safety, with the assistance of the Planning Department, and in consultation with the City Attorney, to prepare a report with recommendations within 90 days, and prepare and present a proposed ordinance, to amend relevant sections of the Municipal Code to increase fines and penalties to deter further installation of

unpermitted illegal off-site signs, and thereby deter this unlawful conduct, and consider the feasibility to base the fine amounts on a multiple of the income generated from each sign; and to enhance and improve enforcement measures and inspections, potentially including a private right of action against property owners and/or sign companies.

PRESENTED BY:   
BOB BLUMENFIELD  
Councilmember, 3rd District

SECONDED BY: 

**ORIGINAL**

  
OCT 29 2024