



SIGNS ON CITY PROPERTY

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9.26.010 - Proprietary capacity.

In adopting this chapter, the city acts in its proprietary capacity as to city property, as defined herein, within the city. This chapter is adopted pursuant to the city's general and police powers, California Constitution Article XI, section 7; the city's ownership rights, California Government Code sections 38774, 38775, 65000 et seq., 65850(b), 38774; Business and Professions Code sections 5200 et seq., 5230, and 5490 et seq.; Penal Code 556, and other applicable state laws. This chapter does not apply to matters covered by or regulated by the signs on private property ordinance (Chapter [14.68](#)), or Chapters [9.24](#) (Public Parks) or [9.25](#) (Special Events).

9.26.020 - Intent as to public forum; message substitution inapplicable.

When this chapter declares that certain property may function as a public forum of one particular type, that declaration shall apply only and strictly to the specified area and for the specified time period. The message substitution policy of [Chapter 14.68](#) applies only to sections of this chapter which so state.

9.26.030 - Definitions.

Definitions from Signs on Private Property, [Chapter 14.68](#), are incorporated herein, unless modified by the following definitions, which apply specifically to this chapter.

City Property. Land or other property in which the City of Los Altos holds a present right of possession and control, city road easements, and all public rights-of-way, regardless of ownership.

Co-Sponsored. An event for which the city council authorizes the city to be listed as a co-sponsor, or the city bears some of the cost of the event.

Heritage Event. Those community events which have been traditionally celebrated or observed in Los Altos, or are otherwise tied to community history, including the events listed in City Resolution No. 2010-32, city special event sponsorship, said resolution may be amended from time to time by the city council.

Protected. Means that a message on a sign is not within one of the categories of expression which the courts have declared to be outside the protection of the First Amendment to the U.S. Constitution or the corollary provisions of the California Constitution.

9.26.040 - Private party signs prohibited unless specifically allowed.

City property may be used by private parties for the display of signs only as explicitly allowed by this chapter. All other private use of city property, for display of signs, is prohibited. Any unauthorized sign posted on city property may be summarily removed by the city as a trespass and a public nuisance.

9.26.050 - Temporary signs displaying noncommercial messages.

In traditional public forum areas, private persons may display temporary signs with protected noncommercial messages thereon, provided that their sign(s) conform(s) to all of the following:

- A. The sign(s) must be personally worn or held by a person, or personally attended by one or more persons. "Personally attended" means that a person is physically present within five feet of the sign at all times.
- B. The signs may be displayed only during the time period of sunrise to sunset, except on occasions when the city council or other public body of the city is holding a public hearing or meeting which is open to the public; on such occasions, the display period is extended to thirty (30) minutes after such meeting is officially adjourned.
- C. The maximum aggregate size of all signs held by a single person is six square feet, measured one side only. Visible images which are displayed as part of personal apparel do not count toward this maximum. For purposes of this rule, apparel and other aspects of personal appearance do not count towards the maximum aggregate sign area.
- D. The maximum cumulative size of signs which are personally attended by two or more persons acting in concert is twelve (12) square feet measured one side only. This rule does not apply when persons acting in concert are physically located more than one hundred (100) feet from one another.
- E. Signs displayed under this provision may have no more than two display faces, may not be inflated, air-activated, specially illuminated, project any sharp edges or points, emit smoke or

fumes or sounds, pose a fire hazard or other threat to public health safety and welfare, and may not be used to obstruct or impede pedestrian or vehicular traffic.

- F. To serve the city's interests in traffic flow and safety, persons displaying signs under this section may not stand in any vehicular traffic lane when a public roadway is open for use by moving vehicles, and persons displaying signs on public sidewalks must give clearance of at least five feet in width for pedestrians to pass by unless the sidewalk in question is less than five feet in width, in which case clearance of sufficient width shall be provided so as not to impede or block pedestrian flow on the sidewalk. Persons holding signs may not block the view or line of sight within the visibility triangle.
- G. The message substitution policy of [Chapter 14.68](#) applies to this section. However, that policy does not authorize the display of commercial messages on traditional public forum areas within the city.
- H. The signs authorized by this section do not require a sign permit, but are subject to all other applicable permits and approvals.

9.26.060 - Government speech on signs; legally authorized signs.

The following signs may be erected and displayed on city property, subject to the rules set herein:

- A. Traffic control and traffic directional signs erected by the city or other governmental agencies acting in scope of their authority, including temporary traffic and traffic direction signs.
- B. Official notices required or authorized by law or valid court order.
- C. Signs placed by the city in furtherance of its governmental functions.
- D. Signs placed by the city on city property which express the city's own message(s).
- E. The signs authorized by this section do not require a sign permit, but are subject to all other applicable permits and approvals.

9.26.070 - Encroachments.

When authorized by [Chapter 14.68](#), private party signs mounted on private property may project into or over city property or the public right-of-way only with an encroachment permit. Sign encroachment permits must satisfy all requirements of the sign ordinance, plus all requirements applicable to encroachments generally, plus all applicable safety codes (building, plumbing, electrical, etc.) and all city rules, regulations and policies regarding encroachments.

9.26.080 - Banners.

Private parties may place banners on city-owned banner poles and across-the-street banners to promote qualifying special events, subject to the following:

- A. Local Special Events Only. The banners may be used only to announce and promote special events which take place within zip codes 94022 and 94024;

1. Open to Public. The advertised event must be suitable for persons of all ages, and must be open to the public on substantially the same basis as members of the sponsoring organization;
 2. No Commercial, Religious or Political Promotions. The banner program is not open to events which are primarily commercial or profit-seeking, sectarian religious or partisan / advocacy political in nature. This does not prevent non-profit groups from holding fund-raising events, or from charging admission.
 3. Expected Attendance. The special event must be organized to accommodate at least five hundred (500) attendees, or be designated by council as a heritage event.
 4. This section is intended to create a limited purpose forum, the purpose of which is to promote noncommercial special events, occurring within the City, which are sponsored by local organizations or local affiliates of broader organizations, and which events are not highly controversial (such as partisan religion or politics), and which are open to all ages on substantially the same terms as members of the sponsoring organizations.
- B. Available Locations. This program applies to the banners in the following locations: Lincoln Park, across Main Street between First and Second Streets, Grant Road and Fremont Avenue intersection, and San Antonio Road and El Camino Real intersection.
- C. Display Time and Place. Qualifying special event banners may be displayed not more than fourteen (14) days in advance of the event (seven days for Lincoln Park), and not more than seven days after the event concludes. Banners advertising the same event may be displayed at up to three locations at the same time; however, no event shall be displayed concurrently in both the Lincoln Park and Main Street Banner locations. Banners for a given event may be displayed a maximum of one time per calendar year.
- D. Scheduling Priority. Time conflicts will be resolved based on time of the event, prioritized as follows: a) events sponsored or co-sponsored by the City of Los Altos; b) events sponsored or co-sponsored by the Town of Los Altos Hills; and c) date and time of request.
- E. Permits. A banner display permit is required for all private party banners. The director of recreation department shall prepare a standard form application which will also serve as a permit, when approved. Banner applications will be reviewed for compliance with the rules set forth in this section; noncomplying applications will be denied with a statement detailing the points of noncompliance. A denied application may be amended and resubmitted. Denied applications may be appealed to the director, who will hold an informal hearing on the matter, after which the applicant may appeal to the city council. Any banners installed without proper permitting may be summarily removed by the city as a trespass and a public nuisance.
- F. Fees. All applications will be subject to a non-refundable processing fee in an amount to be set by council resolution. When an application is approved, an additional fee may be assessed to allow the city to recover its actual costs associated with the banner display. Such costs may be reasonably estimated.
- G. Construction and Installation. Banners must be constructed of quality materials, and satisfy size and construction standards set by the maintenance services and recreation department.

The event sponsor is responsible for delivering the banners to the city, which shall use its own crew to install and remove the banners.

- H. Insurance. The city may require that the sponsoring organization indemnify, defend and hold the city harmless, and/or have the city named as an additional insured, with minimum coverage of one million dollars (\$1,000,000.00) per claim.

9.26.090 - A-frames in certain areas.

Establishments with principal public entrances on city sidewalks in the downtown commercial districts, including the CRS, CRS/OAD, CD and CD/R3 districts, may display one A-frame or similar portable sign by placing it on the public sidewalk pursuant to the "City's Downtown Outdoor Display Permit Guidelines."

9.26.100 - Real estate open house.

Licensed real estate brokers or salespersons and "for sale by owners" may display "open house" type signs on city property as follows:

- A. Display Time. Only during the hours of 9:00 a.m. to 1:30 p.m. on Fridays, and 11:30 a.m. to 6:00 p.m. on Saturdays, Sundays and legal holidays.
- B. Display Face. It shall not be illuminated, digital or have moving parts.
- C. Dimensions. May not exceed four square feet per display face (maximum two display faces per sign), plus two "riders," each not more than one square foot, and not to exceed thirty-two (32) inches in height.
- D. Location and Number of Signs. For any given property currently open for inspection, a maximum of one open house sign may be placed on public property at an intersection and placed so as to minimize interference with pedestrian traffic. Beyond intersections, signs are not allowed on city street medians or right-of-ways, and or within Foothill Expressway medians or right-of-ways.
- E. The message substitution policy of [Chapter 14.68](#) applies to this section.
- F. The signs authorized by this section do not require a sign permit, but are subject to all other applicable permits and approvals.

9.26.105 - A-frames in conjunction with certain non-profit activities.

Non-profit organizations engaged in fund raising activities may display temporary A-frame or similar portable sign by placing it on the public right-of-way as follows:

- A. Display Time. Only during the hours of 9:00 a.m. to 1:30 p.m. on Fridays, and 11:30 a.m. to 6:00 p.m. on Saturdays, Sundays and legal holidays.
- B. Display Face. It shall not be illuminated, digital or have moving parts.

- C. Dimensions. May not exceed four (4) square feet per display face (maximum two (2) display faces per sign) and not to exceed thirty-two (32) inches in height.
- D. Location and Number of Signs. For any non-profit property currently conducting fund raising activities, a maximum of one (1) sign may be placed on public property at an intersection and placed so as to minimize interference with pedestrian traffic. Beyond intersections, signs are not allowed on city street medians or right-of-ways, or within Foothill Expressway medians or right-of-ways.
- E. The message substitution policy of [Chapter 14.68](#) applies to this section.
- F. The signs authorized by this section do not require a sign permit, but are subject to all other applicable permits and approvals.

9.26.110 - Immediate removal of signs on city property.

- A. Removal. Any sign, flag or banner placed on city property in violation of the provisions of this chapter, or any sign which constitutes an immediate peril to persons or property, may be removed without prior notice by any officer or employee of the city designated to do so by the director.
- B. Charge for Cost of Removal. The city may recover the cost of removing signs as authorized by this section. When the city has incurred any expense in removing the sign or other matter or in repairing city property damaged because of the posting or removal of the sign or other matter, any such expense incurred shall constitute a debt owed to the city. The director or designee shall send a bill to the persons responsible for posting or causing to be posted the sign or other matter for the actual or estimated cost of removal. The director may establish administrative regulations to govern the billing procedures. Each bill shall include the cost, both direct and indirect, involved in the removal of the sign or other matter and in administering the billing procedure. The bill shall describe the basis of the amount billed by indicating the number of signs or other matter posted illegally, the time necessary for removal, the hourly cost for removal, the right to a hearing and other relevant information. The bill shall also specify a date by which the bill is to be paid which date shall be not less than fifteen (15) calendar days after the bill is mailed.
- C. Post Removal Hearing Regarding Signs Summarily Removed. The owner or person in charge of any lettering, advertisement, card, poster, sign or notice of any kind placed upon city property, or constituting an immediate peril to persons or property, which has been removed by an officer or employee of the city without prior notice to the owner or person in charge pursuant to this chapter is entitled to an informal hearing to be conducted by the director or designee. The request for hearing shall be made in writing to the director no later than fifteen (15) calendar days from the date the director mails the billing statement specified in subsection B. or within thirty (30) calendar days of the date of the removal, whichever occurs first. The hearing shall be limited to determining whether the lettering, advertisement, card, poster, sign, notice or other matter was located upon city property in violation of the provisions of this chapter or constituted an immediate peril to persons or property and the accuracy of the amount billed. Upon receiving a written request for the hearing, the director shall set a hearing,

which shall be held within thirty (30) calendar days from the date of receipt of the request. The director shall provide written notification of the hearing to the applicant. The notification shall include the date, time and place of the hearing. Following the hearing, the director shall within ten (10) calendar days after the date of the hearing notify the person billed of any adjustment to the bill or any determination not to make an adjustment. This notification shall specify the date by which such bill shall be paid, which date shall in no event be less than thirty (30) calendar days after the date of the hearing. Any person who fails to pay the amount billed to such person within the period specified therein shall also be liable for expenses incurred by the city in collecting the debt, including, but not limited to, the cost of paying city employees or other persons engaged in debt collection.

- D. Appeal of Decision. The director's decision may be appealed, within fifteen (15) calendar days, to the city council, which shall hold a noticed public hearing on the matter, take evidence, and issue a written decision within thirty (30) calendar days. Said decision shall be final as to internal city review.
- E. Return of Materials. Any lettering, advertisement, card, poster, sign or notice which has been removed under this section may be returned to the owner only upon payment to the city of the costs of removal as specified in this section. If no timely request is made for a hearing or if no demand is made for the return of the materials removed within the time permitted for requesting a hearing, the director or his designee is authorized to destroy or dispose of the removed material with no further notice.