

CITY OF MORGAN HILL

COUNCIL POLICIES AND PROCEDURES

CP-15-01

SUBJECT: COMMUNITY ACTIVITY SIGNS ON CITY PROPERTY POLICY

EFFECTIVE DATE _____, 2016

ORIGINATING DEPARTMENT: COMMUNITY SERVICES/COMMUNITY DEVELOPMENT

BACKGROUND

Community Activity Signs are defined in the Morgan Hill Municipal Code as a "temporary sign advertising or pertaining to any civic, patriotic, or special event of general public interest taking place within the City." Community Activity Signs are permitted through the Special Event Permit process.

PURPOSE

The purpose of this Policy is to establish provisions for Community Activity Signs that are displayed to inform the public of special events held or permitted by the City.

The materials, size, design, and location of Community Activity Signs are regulated by this Policy to prevent visual clutter, traffic safety hazards, and to preserve the rural character and residential quality of the City.

It is not the intent of the City to create a traditional or designated public forum in the City locations designated in this Policy. The Community Activity Signs regulated by this Policy are, and remain, a form of government speech. As such, Community Activity Signs may not be displayed for the purpose of commercial advertising.

POLICY

Application

If a person or organization desires to assist the City in communicating a City message on a Community Activity Sign that is consistent with this Policy, the applicant must submit Special Event Permit application. The applicant may request a Community Activity Sign Permit as part of his or her Special Event Permit. If the applicant is requesting a Community Activity Sign Permit, the application must include 1) plans, drawings, and other descriptive materials sufficient to depict the sign proposal and 2) an installation plan. No additional fee is required for processing the request to erect Community Activity Sign(s).

Applications must be received not less than thirty (30) days before an event and must contain the appropriate insurance naming the City as an additional insured.

Special Event Permit applicants will also be required to sign a written statement that the applicant or the organization he or she represents agrees to indemnify, defend, and hold harmless the City from and against any and all claims, losses, or damages caused by or related to the installation,

display, or removal of the Community Activity Signs.

Process

Once the Special Event Permit application is received and reviewed by the Community Services Department, it will be routed to the Community Development Department. The Community Development Director or designee shall determine if the application for the erection of Community Activity Signs complies with the standards specified in this Policy. The Community Development Director or designee shall approve the application for erection of Community Activity Signs if the application conforms with the standards contained in this Policy. The Community Development Director or designee shall deny the application for erection of Community Activity Signs if the application does not conform to the standards of this Policy and shall give the applicant written notice of and the reasons for the denial.

The denial of a Community Activity Sign Permit may be appealed to City Council utilizing procedures applicable to the Special Event Permit process.

Following approval of the Community Activity Sign Permit, the Public Works Department will issue an encroachment permit, allowing the applicant to install the sign(s) in the City's right of way.

Special Event Permits are reviewed and processed on a first come, first served basis. If a time conflict occurs between an approved Special Event Permit and a pending Special Event Permit, the approved Special Event Permit take precedence. Applicants are encouraged to submit their Special Event Permit applications well in advance of the time for which they would like the Special Event to be held and corresponding sign(s) to be posted to prevent a potential conflict.

Eligible Events

To be eligible to erect a Community Activity Sign, such Special Event must:

1. Be co-sponsored or permitted by the City
2. Be open to the general public,
3. Have anticipated participation of over 500 participants, and
4. Be suitable for all ages

Eligible Locations

Community Activity Signs are only permitted to be erected at the following locations:

1. Downtown Streetlight Poles
 - a. Monterey Road between East Dunne Avenue and Main Street
 - b. Third Street between Monterey Road and Depot Street
2. The location of the Special Event, only if will take place at one of the following locations:
 - a. Community Park (North and South Side)
 - b. Galvan Park
 - c. Centennial Recreation Center
 - d. Aquatics Center

Community Activity Signs installed on Downtown Streetlight Poles must be installed utilizing available existing mounting brackets.

Additionally, Special Events, including those held at the Community and Cultural Center, are eligible to have the Special Event posted on the Community and Cultural Center's digital display.

Sign Specifications

1. Community Activity Signs on streetlight poles shall not exceed four and one half (4.5) square feet in size.
2. Community Activity Signs erected at Recreation Facilities/Parks Fences shall be one-sided and not exceed thirty two (32) square feet.
3. Community Activity Signs shall consist of high-quality, durable canvas, cloth, nylon, vinyl, or similar material.

Ownership, Installation, and Maintenance

Installation, repair and maintenance shall be provided by the applicant. Community Activity Signs are, and will remain, the property of the applicant.

Duration and Removal

Community Activity Signs may only be posted for fourteen (14) days before the Special Event and must be removed **not more than** two (2) days after the Special Event.

The City retains discretion to remove any Community Activity Signs that, in the determination of the City, do not meet the provisions of this Policy, are not consistent with a Community Activity Sign permit, or create a public safety emergency.

Unless a public safety emergency exists, the City will provide notice to the sign owner prior to removal for failure to comply with this Policy and will store removed Community Activity Signs, if they are in reasonably good condition, for thirty (30) days to allow an applicant an opportunity

to retrieve them. After thirty (30) days , the City may dispose of Community Activity Signs that are not retrieved.

Commercial Advertising Prohibited

Commercial advertising of or for a business, service or product is not allowed under this Policy. However, small-scale identification (not exceeding 25% of the display area) of event sponsorship for informational purposes is allowed.

This Policy shall remain in effect until modified by the City Council.

APPROVED:

STEVE TATE, MAYOR