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Adopting a Constitutional Sign Code

The Chandler Experience

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Chandler + Arizona
Where Values Make The Difference


Sign, Sign Everywhere a sign
Blocking out the scenery breaking my mind
CAUTION
THIS SIGN HAS
SHARP EDGES
DO NOT TOUCH THE EDGES OF THIS SIGN
ALSO, THE BRIDGE IS OUT AHEAD

Reed v. Gilbert

06-18-2015

Changed the basis of sign codes

Regulation of signs can not be based on content

Applied to non-commercial signs

Rex Rohlfs d/b/a Covers Plus; North Park Plaza, LLC; Pollack Business Park North, LLC; Putz, LLC and University Central Center, LLC v. Chandler

Goldwater representing local business owners

Chandler was not enforcing Sign Code

Court orders immediate injunction against enforcement

Chandler in the process of evaluating revisions to Sign Code

Chandler's Sign Code in violation of Reed

Litigation set deadlines for amending Sign Code

06.18.15

Reed v. Town of Gilbert Supreme Court Decision

08.16.16

Goldwater Institute sues Chandler on behalf of local business owners

10.06.16

Joint stipulation to stay enforcement of the Chandler Sign Code.

03.26.17

Planning staff and City Attorney's Office work with stakeholders

05.25.2017

Final adoption of revised Chandler Sign Code by City Council.

Chandler Sign Code Time Line

Temporary signs in the ROW

GWI argued that business advertising signs should be allowed in the public right-of-way.

Prior restraint

GWI argued that permits can not be denied based on type/class/content of sign.

Equal Protection
Vagueness
Overbreadth

GWI was opposed to different regulations for commercial and non-commercial speech and different types of signs.

So what were the issues raised by GWI?

City Council had to balance interests









Removed sign descriptions like open house, grand opening, subdivision, real estate, yard sales, etc.

Temporary Freestanding Signs

Large
17-160 sq. ft.



1 per property, 2 for corner lots; 1 additional for every 300 ft. property frontage
10 ft. min. setback from ROW
No permit required unless <8 ft. in height

Midsize
7-16 sq. ft.



1 per property; 1 additional for every 300 ft. property frontage (all properties)
10 ft. min. setback from curb
No permit required unless <8 ft. in height

Banners, Air-Activated, and Feather Signs







1 Banner, 2 air-activated and 2 feather signs (30 days within 6 month period) per business
Temporary sign permit required
Not allowed in ROW
Unlimited vertical banners in approved outside display areas (e.g., auto dealerships, nurseries)



Yard Signs









≤6 sq. ft.

Single family lots, model homes, quasi-public/institutional uses: 1 on subject property, and 1 additional sign at each turning movement up to 1 mile away – up to 10 max.

Only when subject property is open to the public

Allowed in ROW behind sidewalk

No permit required

Other Issues

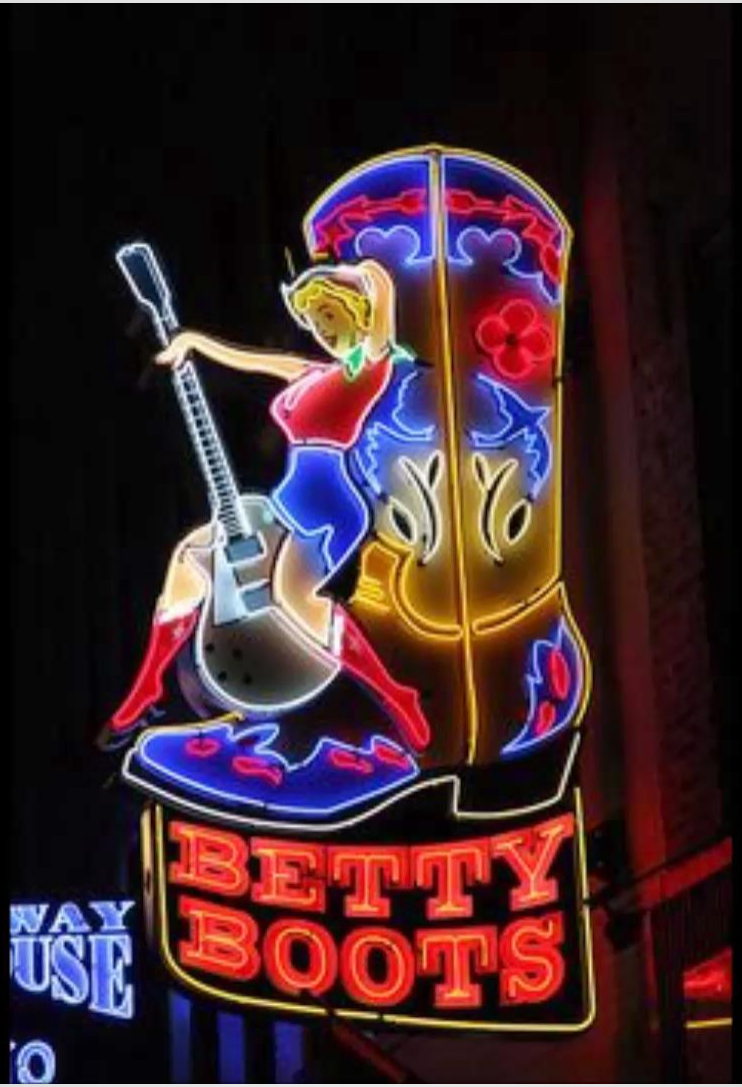
- Civil vs. Criminal Penalties
- Blue stake requirements for signs in ROW
- Political Signs A.R.S. § 16-1019

Panhandling After *Reed*

Aggressive Panhandling Approach

Focus on pedestrian and traffic safety

Strict Scrutiny Applies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