

ORDINANCE NO. 1016

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EAST RIDGE, TENNESSEE, REPLACING ORDINANCE NO. 867 AND AMENDING TITLE 20 RELATIVE TO THE TIMING AND PLACEMENT OF POLITICAL SIGNS ON CITY AND PRIVATE PROPERTY IN THE CITY OF EAST RIDGE

WHEREAS, on September 24, 2009, the City Council for the City of East Ridge, Tennessee passed, on Second Reading, Ordinance No. 867, which added regulations to the East Ridge Municipal Code concerning the timing and placement of political signage within the City of East Ridge, regardless of the content of such political signage; and

WHEREAS, the City of East Ridge seeks to replace Ordinance No. 867 and further amend and clarify the regulations therein;

WHEREAS, the City of East Ridge has compelling interests in limiting the hazards to the health, welfare and safety of the citizens of East Ridge caused by unregulated political signage, and the regulations set forth herein contain the least restrictive means to achieve these goals while bearing a substantial relation to the City's interests;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of East Ridge, Tennessee, that Title 20, Chapter 4 of the East Ridge Municipal Code be deleted in its entirety and replaced with the following:

POLITICAL SIGNS

SECTION

20-401. Scope of chapter--definition of political sign.

20-402. Political signs regulated on City property.

20-403. Political signs regulated on private property.

20-401. Scope of chapter--definition of political sign. Notwithstanding anything in the East Ridge City Code to the contrary, the provisions of this chapter shall govern the use and placement of political signs. "Political signs" shall mean any sign which supports or opposes the candidacy of any candidate for public office or urges action on any other issue on the ballot of a primary, general or special election.

20-402. Political signs regulated on City property. No Political signs shall be placed on City property, subject to the following exceptions and restrictions:

(1) Political signs may be placed on City property designated as official poll locations for a primary, general or special election, but no more than twenty-four (24) hours in advance of the election date.

(2) Political signs must be removed promptly following a primary, general or special election, but in no instance may Political signs remain placed at a designated poll location more than twenty-four (24) hours following the election date.

(3) A lottery shall be conducted to determine the locations of candidates' tents on City property designated as official poll location(s). The rules and regulations of such lottery are to be determined and approved by the City Council.

20-403. Political signs regulated on private property. Political signs with a sign area of more than thirty-two (32) square feet shall be subject to the provisions of the East Ridge City Code governing off-premise signs, provided that any political signs at a campaign headquarters shall be governed as on-premise signs. Political signs with a sign area of thirty-two (32) square feet or less shall be subject to the following restrictions:

(1) No political sign less than ten (10) square feet may be placed closer than five feet (5') to the closest edge of the pavement or curb of any public or private street.

(2) No such political sign between ten (10) square feet and thirty-two (32) square feet may be placed closer than ten feet (10') to the closest edge of the pavement or curb of any public or private street.

(3) No such political sign may be placed closer than twenty-five feet (25') to the closest edge of the pavement or curb of two (2) public or private streets.

(4) No person shall paste, paint, rope, bill, nail or pin any sign or any advertisement or notice of any kind whatsoever or cause the same to be done, or any curbstone, or in any portion of part of any sidewalk or street, tree, lamppost, telephone or telegraph pole, awning, porch or balcony or upon any other structure in the limits of any street or public right-of-way in the city including but not limited to any divided roadway median, traffic island and/or traffic circle/roundabout, except such as may be required by this code or other city ordinance.

(5) No such political sign may be placed upon or attached in any way to any tree, utility pole, light pole or rock; provided that no such sign shall be placed on any fence or fence post which presents any safety or line of sight issues for drivers as determined by the chief building official for the city.

(6) No political sign shall be posted more than sixty (60) days in advance of the date voting begins in the election to which it refers.

(7) All such political signs shall be removed within fifteen (15) days after the election to which they refer has been held. Such signs erected for a primary election may remain only if they continue to be valid for the next general election.

(8) The office of the building official or the traffic engineer may order the removal or relocation of any such sign which may constitute a hazard to the public traveling on public streets.

(9) No such sign may be placed upon a public sidewalk.

(10) Any person or organization planning to erect any political signs shall first file with the office of the building official the name, address and telephone number of the person or persons who shall be responsible for the proper erection and timely removal of such signs.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately after its passage, the public welfare of the City requiring it.

Passed on First Reading August 25, 2016

Passed on Second Reading September 8, 2016



Brent Lambert, Mayor

ATTEST:



J. Scott Miller, City Manager

APPROVED AS TO FORM:



Harold L. North, Jr., City Attorney

CITY OF EAST RIDGE
RULES FOR TENT LOTTERY

- There shall be twelve (12) tent sites marked off (12 ft. x 12 ft.) in the front yards of City Hall and the Recreation Center (the Election Poll).
- There will be only one tent space per candidate out of the 12 spaces.
- A lottery shall be held seven (7) days prior to the election date at noon at City Hall.
- The drawing shall be conducted by the City Recorder.
- The first name drawn shall have the opportunity to select the site they desire to locate their tent; the second name drawn shall have the opportunity to select the site they desire to locate their tent; and so on until the last name is read.
- The candidates shall be allowed to set up their tents on their designated location sites (determined by the lottery) no more than 24 hours prior to the opening of the polls on Election Day; and further, the tents must be removed within 24 hours following the election date.
- If anyone is found to be in violation of the rules of the lottery, the Chief of Police is authorized to remove the tent structure from City property.