

GENERAL INFORMATION

In its efforts to provide a safe and well-maintained environment, the Town of Fountain Hills addresses the display of Political and Ideological Signs in Chapter 6 of the Zoning Ordinance.

The following information is provided as an introduction to the Political and Ideological Sign regulations.

GENERAL GUIDELINES

Signs located in the **Commercial** zoning districts must be counted toward the total aggregate square footage of signage on the site and may not exceed 32 square feet in size.

Signs located in the **Residential** zoning districts are subject to the following:

- ✓ Maximum sign size, per individual candidate or ballot issue, shall not exceed 16 square feet.

Signs located in **any** zoning district are subject to the following:

- ✓ Sign may not be erected more than 60 days prior to the election or referendum on the ballot and shall be removed within 10 days after the election or referendum, except that winning primary election candidates may leave their signs up until 15 days after the general election.
- ✓ Other than public right-of-ways, the Town does not allow political signs to be put on Town-owned property or Town-owned buildings. However, the Town will permit individuals to hold political signs on Town property.

DEFINITIONS

POLITICAL SIGN

A Sign which identifies a person, expresses a position, conveys a message concerning, or advocates a position on the candidacy of a person, party or issue on an upcoming ballot.

IDEOLOGICAL SIGN

A Sign which expresses, conveys, or advocates a non-commercial message.

PLEASE NOTE:

Section 10-2-8 and 10-2-9 of the Town Code has additional regulations on advertising materials such as the distribution of handbills.

Section 1725 and 1705 of the United States Code has additional regulations on the prohibition of placing handbills into Mailboxes.

Arizona Revised Statute 16-912 provides regulatory information on required wording for political signs.

If you have any questions please contact:

**Planning and Zoning
480-816-5122
Email: planning@fh.az.gov**

POLITICAL AND IDEOLOGICAL SIGN GUIDELINES



The Town of Fountain Hills appreciates your cooperation regarding these sign regulations. We suggest that those responsible for erection or distribution of political signs, posters, etc., become familiar with those provisions of the Town Code and Sign Ordinance as referred to in this brochure.

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**ARS 16-1019. Political signs;
printed materials; tampering;
classification**

A. It is a class 2 misdemeanor for any person to knowingly remove, alter, deface or cover any political sign of any candidate for public office or knowingly remove, alter or deface any political mailers, handouts, flyers or other printed materials of a candidate that are delivered by hand to a residence for the period commencing forty-five days before a primary election and ending seven days after the general election.

B. This section does not apply to the removal, alteration, defacing or covering of a political sign or other printed materials by the candidate or the authorized agent of the candidate in support of whose election the sign was placed, by the owner or authorized agent of the owner of private property on which such signs are placed with or without permission of the owner or placed in violation of state law or county, city or town ordinance or regulation.

C. Notwithstanding any other statute, ordinance or regulation, a city, town or county of this state shall not remove, alter, deface or cover any political sign if the following conditions are met:

1. The sign is placed in a public right-of-way that is owned or controlled by that jurisdiction.
2. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.
3. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611).
4. The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other area.
5. The sign contains the name and telephone number of the candidate or campaign committee contact person.

D. If the city, town or county deems that the placement of a political sign constitutes an emergency, the jurisdiction may immediately relocate the sign. The jurisdiction shall notify the candidate or campaign committee that placed the sign within twenty-four hours after the relocation. If a sign is placed in violation of subsection C and the placement is not deemed to constitute an emergency, the city, town or county may notify the candidate or campaign committee that placed the sign of the violation. If the sign remains in violation at least twenty-four hours after the jurisdiction notified the candidate or campaign committee, the jurisdiction may remove the sign. The jurisdiction shall contact the candidate or campaign committee contact and shall retain the sign for at least ten business days to allow

the candidate or campaign committee to retrieve the sign without penalty.

E. A city, town or county employee acting within the scope of the employee's employment is not liable for an injury caused by the failure to remove a sign pursuant to subsection D unless the employee intended to cause injury or was grossly negligent.

F. Subsection C does not apply to commercial tourism, commercial resort and hotel sign free zones as those zones are designated by municipalities. The total area of those zones shall not be larger than three square miles, and each zone shall be identified as a specific contiguous area where, by resolution of the municipal governing body, the municipality has determined that based on a predominance of commercial tourism, resort and hotel uses within the zone the placement of political signs within the rights-of-way in the zone will detract from the scenic and aesthetic appeal of the area within the zone and deter its appeal to tourists. Not more than two zones may be identified within a municipality.

G. A city, town or county may prohibit the installation of a sign on any structure owned by the jurisdiction.

H. Subsection C applies only during the period commencing sixty days before a primary election and ending fifteen days after the general election, except that for a sign for a candidate in a primary election who does not advance to the general election, the period ends fifteen days after the primary election.

I. This section does not apply to state highways or routes, or overpasses over those state highways or routes.