

SECTION SEVEN

NOVEMBER 8, 2016 ELECTION SIGN
INFORMATION
(Use of Political Signs)

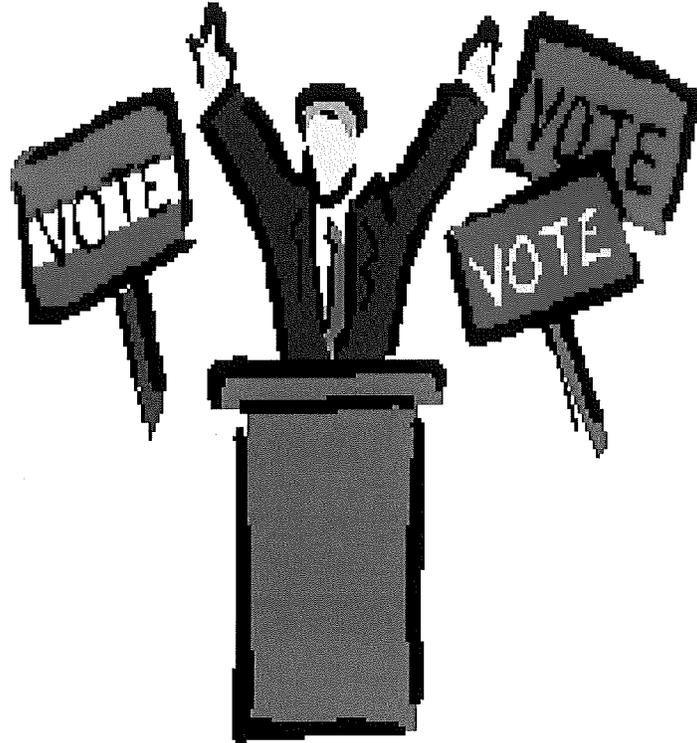
HUNTINGTON BEACH ZONING CODE
Chapter 233.08 - Exempt Signs

ELECTION DAY POLL WATCHING GUIDELINES

LITERATURE AND MASS MAILING
REQUIREMENTS

November 8, 2016

ELECTION SIGNS



Signs may be erected on
public property no sooner than

September 19th

and must be taken down from
public property no later than

November 18th

Chapter 233 SIGNS

233.08 Exempt Signs

The following signs are exempt from the sign permit requirements of Section 233.04. These signs shall not be restricted by content and no fee, permit or application is required:

- A. Cornerstones (including names of buildings and dates of erection), and citations that are made an integral part of the structure.
- B. Signs not exceeding 0.5 square feet each posted by commercial establishments.
- C. Flags posted by any governmental agency.
- D. Signs posted by neighborhood safety organizations.
- E. Notices posted by a utility or other quasi-public agent in the performance of a public duty.
- F. Signs or notices posted by any court, public body or officer.
- G. Signs posted by property owners on private property, as required by law (including no trespass and legal notices).
- H. One sign, not over six square feet in area, may be posted at each door, loading dock, or other entrance facing a public street.
- I. One double-faced sign per each commercial parking entrance, not exceeding two square feet in area and four feet in height.
- J. Signs erected by a public agency.
- K. Signs manufactured as a standard, integral part of a mass-produced product accessory or display structure including telephone booths, vending machines, automated teller machines, and gasoline pumps.
- L. Signs within a building not visible from a public street and window signs not exceeding 20% of the visible area of a window (50% during December). No window sign shall be displayed above the second story.
- M. Signs required by the Americans with Disabilities Act (ADA).
- N. Two signs (including, but not limited to, street numerals and “no solicitation” notices), not exceeding two square feet each, placed on any part of a building facing a public street.
- O. **Temporary Signs.** Temporary signs are permitted on private property where the property owner has granted permission for its display. Temporary signs are permitted in public rights-of-way, but not permitted in street medians or dividers, or affixed to trees, shrubs or other landscape materials. This signage shall not be restricted by content and shall be permitted as follows:

SITE CRITERIA	TYPE	MAX. NUMBER	MAX. SIGN AREA	MAX. SIGN HEIGHT	OTHER STANDARDS
Non-commercial signs on private property in all zones	F/S or Wall; no roof signs	N/A	8 sq. ft. total combined of all signs on a property	In all zones, 42 inches within front setback areas; 6 ft. in other areas	<ol style="list-style-type: none"> 1. Cannot create traffic or safety hazards; cannot encroach in the visibility triangular areas described in Section 230.88. 2. In Commercial and Industrial Zones, F/S non-commercial signs are allowed only in landscaped areas and landscaped planters.

Non-commercial signs in public rights-of-way	F/S or Wall	N/A	N/A	N/A	<ol style="list-style-type: none"> 1. Cannot create traffic or safety hazards. 2. Non-commercial signs in public rights-of-way may be posted no sooner than 50 days before an Election Day and must be taken down no later than 10 days following the Election Day. Non-commercial signs in public rights-of-way may be removed by anyone beginning the Friday after Election Day.
Real Estate Signs					
<i>Residential</i>	F/S or Wall	1 per site	8 sq. ft.	6 ft.	<ol style="list-style-type: none"> 1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. 3. No sign may be attached to the perimeter walls of residential communities.
<i>Commercial Office District</i>	F/S or Wall	1 per site	20 sq. ft.	10 ft. 12 ft.	<ol style="list-style-type: none"> 1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement.
<i>Commercial Industrial</i>	F/S or Wall	1 per site	30 sq. ft.	12 ft.	<ol style="list-style-type: none"> 1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement.
<i>All Other Districts</i>	F/S or Wall	1 per site	20 sq. ft.	10 ft.	<ol style="list-style-type: none"> 1. Cannot create traffic or safety hazards. 2. May be erected no earlier than the date the property is placed on the market for sale, lease or rental, and is removed immediately after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement. 3. Signs shall not be attached to the perimeter walls of residential communities.
Construction Signs	F/S or Wall	1 per site	32 sq. ft.	None	Is erected no earlier than the date a building permit is issued for the property, and is removed prior to issuance of a certificate of occupancy or final inspection, whichever comes first.
Open House Signs					
	F/S or Wall	1 per site	6 sq. ft.	4 ft.	<ol style="list-style-type: none"> 1. Sign must be displayed adjacent to the entrance of a property or in the case of a residential subdivision at the immediate points of access to the property from an arterial, and is removed by sunset on any day it is erected. 2. Placement shall not be in street medians, dividers, on street signs, traffic control devices and shall not obstruct the public right-of-way.
	Flags	3 per site	2.5 sq. ft.	6 ft.	Must be displayed at the immediate points of access to a property or, in the case of a residential subdivision, from the immediate point of access from an arterial.
Pennants			30 sq. ft.		<ol style="list-style-type: none"> 1. Must be placed on light standards located on private property. 2. Must have an 8-foot clearance from the ground. 3. Must be removed within 5 business days of the completion of the City-sponsored event or theme.

(3334-6/97, 3360-12/97, 3826-4/09, 3872-3/10, 3881-8/10, 3927-1/12, 4047-5/15)

ELECTION DAY - POLL WATCHING GUIDELINES

The election process is a public affair and anyone who wishes may observe. However, the vote of the individual citizen is secret, and no one may interfere with a voter's right to cast a secret ballot. Members of the precinct boards are sworn election officials of the County of Orange and have complete responsibility for conducting all phases of the election in their precinct. Certain standards are expected of observers:

Any person who in any manner interferes with the officers holding an election or conducting a canvass, or with the voters lawfully exercising their rights of voting at an election, as to prevent the election or canvass from being fairly held and lawfully conducted, is punishable by imprisonment in the state prison for 16 months or two or three years. **§ 18502**

The election must be orderly. Do not talk in a loud voice, cause confusion, or congregate inside the polls. Do not ask to use the telephone or other facilities.

Only voters engaged in receiving, preparing, or depositing their ballots and persons authorized by the precinct board to keep order and enforce the law may be permitted to be within the voting booth area before the closing of the polls. **§ 14221**

(a) Only members of the precinct board, and persons while signing their names on the roster, shall be permitted, during the hours within which voting is in progress, to sit at the desk or table used by the precinct board.

(b) Any person may inspect the roster while voting is in progress and while votes are being counted. However, this shall not be done at a time or in a manner which will impede, interfere, or interrupt the normal process of voting. **§ 14223**

No person on Election Day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a polling place or an elections official's office:

(a) Circulate an initiative, referendum, recall, or nomination petition or any other Petition;

(b) Solicit a vote or speak to a voter on the subject of marking his or her ballot;

(c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240; and

(d) Do any electioneering. Electioneering is defined as the visible display or audible dissemination of information that advocates for or against any candidate or measure on the ballot.

"Polling Place 100 Foot" signs are posted outside polling places, indicating the 100 foot boundary for electioneering. As used in this section, **"100 feet of a polling place or an elections official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots.**

Any person who violates any of the provisions of this section is guilty of a misdemeanor. **§ 18370**

(a) Any person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, who is stationed in the immediate vicinity of, or posted at, a polling place without written authorization of the appropriate city or county elections official is punishable by a fine not

exceeding ten thousand dollars (\$10,000), by imprisonment in the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment.

(b) This section shall not apply to any of the following:

- (1) An unarmed uniformed guard or security personnel who is at the polling place to cast his/her vote;
- (2) A peace officer who is conducting official business in the course of his/her public employment or who is at the polling place to cast his/her vote;
- (3) A private guard or security personnel hired or arranged for by a city or county elections official; and
- (4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the polling place is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held. **§ 18544**

The Precinct Board will attempt to respond to any reasonable, lawful requests from observers. The Registrar of Voters' office has instructed Precinct Officers to ask unruly poll watchers to leave, and to ask for assistance from the local law enforcement agency, if necessary.

EXPIRE *December 31, 2016*

LITERATURE REQUIREMENTS

§ 16, Elections Code

A copy of Section 84305 of the Government Code shall be provided by the elections official to each candidate or his or her agent at the time of filing the declaration of candidacy and to the proponents of a local initiative or referendum at the time of filing the petitions.

MASS MAILING REQUIREMENTS

§ 84305, Government Code

(a) Except as provided in subdivision (b), no candidate or committee shall send a mass mailing unless the name, street address, and city of the candidate or committee are shown on the outside of each piece of mail in the mass mailing and on at least one of the inserts included within each piece of mail of the mailing in no less than 6_point type which shall be in a color or print which contrasts with the background so as to be easily legible. A post office box may be stated in lieu of a street address if the organization's address is a matter of public record with the Secretary of State.

(b) If the sender of the mass mailing is a single candidate or committee, the name, street address, and city of the candidate or committee need only be shown on the outside of each piece of mail.

(c) If the sender of a mass mailing is a controlled committee, the name of the person controlling the committee shall be included in addition to the information required by subdivision (a).

PENAL PROVISIONS - ELECTION CAMPAIGNS

§ 18303, Election Code

Every person who violates Section 84305 of the Government Code relating to mass mailing is subject to the penal provisions set forth in Chapter 11 (commencing with Section 91000) of Title 9 of the Government Code.

§ 91000, Government Code

(a) Any person who knowingly or willfully violates any provision of this title is guilty of a misdemeanor.

(b) In addition to other penalties provided by law, a fine of up to the greater of ten thousand dollars (\$10,000) or three times the amount the person failed to report properly or unlawfully contributed, expended, gave or received may be imposed upon conviction for each violation.

(c) Prosecution for violation of this title must be commenced within four years after the date on which the violation occurred.

§ 91001(a), Government Code

(a) The Attorney General is responsible for enforcing the criminal provisions of this title with respect to state agencies, lobbyists and state elections. The district attorney of any county in which a violation occurs has concurrent powers and responsibilities with the Attorney General.

EXPIRES: *December 31, 2016*

DEFINITION OF MASS MAILING AND SENDER

§ 18435, California Code of Regulations

(a) A "mass mailing" has been made when over two hundred substantially similar pieces of mail have been sent within a calendar month.

(b) The sender, as used in Government Code Section 84305, is the candidate or committee who pays for the largest portion of expenditures attributable to the designing, printing, and posting of the mailing which are reportable under Government Code Sections 84200-84217.

(c) For purposes of this section to "pay for" a share of the cost of a mass mailing means to make, to promise to make, or to incur an obligation to make, any payment:

(1) To any person for the design, printing, postage, materials or other costs (including salaries, fees, or commissions) of the mailing; or

(2) As a fee or other consideration for an endorsement or, in the case of a ballot measure, support or opposition, in the mailing.

(d) The identification required by Section 84305 shall be preceded by the words "Paid for by." These words shall be presented in the same size and color as the identification required by Section 84305, and shall be immediately adjacent to and above or immediately adjacent to and in front of the required identification.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 82041.5 and 84305, Government Code.

§ 18435.5, California Code of Regulations

(a) Section 84305.5 requires a slate mailer to identify the slate mailer organization or committee sending the slate mailer, and to designate by an asterisk (*) each candidate and each ballot measure supported or opposed in a slate mailer for which payment of \$100 or more has been received by the organization or committee (either from the candidate, ballot measure committee, or from any other person "at the behest" of a candidate or ballot measure committee as defined in Regulation 18225.7).

(b) To ensure that it is easily legible, the Notice to Voters required by Section 84305.5 shall appear with a reasonable degree of color contrast between the background and the statement and must appear on a plain background, not superimposed over an illustration or a patterned background. Examples of a reasonable degree of color contrast that would meet the standard required by Section 84305.5 are when the disclaimer is printed in black text on a white background or a similar degree of color contrast between the background and the text of the disclaimer.

(c) Slate Mailers in Multiple Languages. The Notice to Voters in a slate mailer shall appear in English. In addition, if all or a significant portion of the slate mailer appears in a language other than English, the Notice to Voters must also appear in that language.

(d) In addition to applying to slate mailers sent by traditional mail, the slate mailer identification and disclaimer requirements of Section 84305.5 apply to slate mailers distributed electronically.

Note: Authority cited: Section 83112, Government Code. Reference: Section 84305.5, Government Code.