

## **SECTION SEVEN**

November 2, 2010 Election Sign Information  
(Use of Political Signs)

ORDINANCE NO. 3881  
(Chapter 233 of the Huntington Beach Zoning  
and Subdivision Ordinance Relating to Signs)

ELECTION DAY  
POLL WATCHING GUIDELINES  
  
LITERATURE AND MASS MAILING  
REQUIREMENTS

# **November 2, 2010 Election Signs**



Signs may be erected no sooner than  
**August 18th**  
and must be taken down no later than  
**November 17th**

## USE OF POLITICAL SIGNS

Adherence to the following guidelines will assure expeditious service to you on the part of the City and that political sign programs can be carried out without unnecessary difficulties:

1. Huntington Beach Zoning Code 2.33 Signs;

**“Political campaign signs which do not pose a traffic or safety hazard, are not erected more than 75 days prior to or remain more than 15 days after an election and have been granted permission of the property owner for display. Political signs shall be prohibited in street medians and dividers.”**

2. Political signs **SHALL NOT** be placed in areas where visibility and other safety considerations are impaired. **The City will remove political signs, which pose a safety hazard.**
3. Permission from the property owner should always be secured prior to placement of political signs on private property.
4. Inventory the placement of all political signs in order that cleanup after the election can be completed.

If you have any questions please call the Zoning Counter of the Planning Department at 536-5271.

**Signs may be posted on August 18<sup>th</sup> seventy five (75) days prior to the November 2, 2010 Election**

**Signs must be removed no later than November 17<sup>th</sup> fifteen (15) days after the November 2, 2010 Election**

ORDINANCE NO. 3881

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH  
AMENDING CHAPTER 233 OF THE HUNTINGTON BEACH  
ZONING AND SUBDIVISION ORDINANCE RELATING TO SIGNS

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 233.08 of the Huntington Beach Zoning and Subdivision Ordinance is hereby amended to read as follows:

**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 (6) 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 (2) square feet in area and four (4) 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 percent 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 (2) signs (including, but not limited to, street numerals and “no solicitation” notices), not exceeding two (2) square feet each, placed on any part of a building facing a public street.
- O. Temporary signs. Temporary signs are permitted 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. This signage shall not be restricted by content, but is usually and customarily used to advertise real estate sales, political or ideological positions, garage sales, and home construction or remodeling, etc. In addition, signage shall be permitted as follows:

SITE CRITERIA	TYPE	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM SIGN HEIGHT	OTHER STANDARDS
<u>Election Signs or Political Signs</u>	F/S or Wall	N/A	N/A	N/A	<ol style="list-style-type: none"> <li>1. Cannot create traffic or safety hazards.</li> <li>2. May be erected no more than seventy five (75) days prior to an election and must be removed within fifteen (15) days after an election.</li> </ol>
<u>Real Estate</u> Residential	F/S or Wall	One per site	8 sq. ft.	6 ft.	<ol style="list-style-type: none"> <li>1. Cannot create traffic or safety hazards.</li> <li>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.</li> <li>3. No sign may be attached to the perimeter walls of residential communities.</li> </ol>
<u>Real Estate</u> Commercial Office Dist.	F/S or Wall	1 per site	20 sq. ft.	10 ft. 12 ft.	<ol style="list-style-type: none"> <li>1. Cannot create traffic or safety hazards.</li> <li>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.</li> </ol>
<u>Real Estate</u> Commercial Industrial	F/S or Wall	1 per site	30 sq. ft.	12 ft.	<ol style="list-style-type: none"> <li>1. Cannot create traffic or safety hazards.</li> <li>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</li> </ol>

Ordinance No. 3881

					after the sale, lease, or rental of the property which is defined as the close of escrow or execution of lease or rental agreement.
<u>Real Estate</u>  All other Districts	F/S or Wall	1 per site	20 sq. ft.	10 ft.	<ol style="list-style-type: none"> <li>1. Cannot create traffic or safety hazards.</li> <li>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.</li> <li>3. Signs shall not be attached to the perimeter walls of residential communities.</li> </ol>
<u>Construction Signs</u>	F/S or Wall	1 per site	32 sq. ft.	None	<ol style="list-style-type: none"> <li>1. 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.</li> </ol>
<u>Open House Signs</u>	F/S or Wall	1 per site	6 sq. ft.	4 ft.	<ol style="list-style-type: none"> <li>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.</li> <li>2. Placement shall not be in street medians, dividers, on street signs, traffic control devices and shall not obstruct the public right-of-way.</li> </ol>
<u>Open House Sign</u>	Flags	3 per site	2.5 sq. ft.	6 ft.	<ol style="list-style-type: none"> <li>1. 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.</li> </ol>
<u>Pennants</u>			30 sq. ft.		<ol style="list-style-type: none"> <li>1. Must be placed on light standards located on private property.</li> <li>2. Must have an eight (8) foot clearance from the ground.</li> <li>3. Must be removed within five (5) business days of the completion of the City-sponsored event or theme.</li> </ol>

SECTION 2. This ordinance shall become effective 30 days after its adoption.

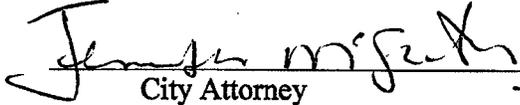
PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

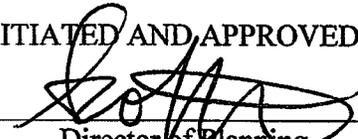
APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney 7.1.10

REVIEWED AND APPROVED:

\_\_\_\_\_  
City Administrator

INITIATED AND APPROVED:

  
\_\_\_\_\_  
Director of Planning

## 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:

- Poll watchers may not interfere in any way with the conduct of the election or with the vote count following the close of the polls. Any person who interferes with the election or with a voter 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.
- The area between the official table and the voting booths is for voters only and may not be used as an observer post. **§ 14221**
- Poll watchers may not sit at the official table or handle any of the official voting equipment, supplies, or ballots. **§ 14223**
- Poll watchers may not wear candidate badges, discuss candidates, how a voter voted, or bring any campaign material into the polling place. This constitutes electioneering and is illegal. Electioneering may not be conducted within 100 feet of a polling place. The term "100 feet of a polling place" means a distance of 100 feet from the room or rooms in which voters are signing the Roster-Index and casting ballots. The blue "POLLING PLACE 100'" signs which are posted outside, indicate the 100 foot boundary for electioneering. Violation of this section is a misdemeanor. **§ 18370**
- No one may be within 100 feet of a polling place while wearing a firearm or a peace officer or security guard uniform except: (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; (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's 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.

## **ELECTION NIGHT RESULTS**

Orange County uses a central location for tallying votes. All ballots are tabulated in the Registrar of Voters Tally Center located at 1300 S. Grand Ave., Bldg. C, Santa Ana.

The vote counting procedure is open to public viewing. Unofficial results are available throughout the evening of the election in the Registrar of Voters office beginning at approximately 8:05 p.m. and continuing until all precinct ballots have been tallied. Results may also be obtained by calling the Registrar of Voters office at (714) 567-7600 or visiting our web site ([www.ocvote.com](http://www.ocvote.com)).

## LITERATURE REQUIREMENTS

§ 16. Elections Code states:

A copy of Section 84305 of the Government Code shall be provided by the Election 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.

(§ 16, Elections Code)

## MASS MAILING REQUIREMENTS

(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 [See Appendix pages for Comparative Type Sizes] 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).

(§ 84305, Government Code.)

## PENAL PROVISIONS – ELECTION CAMPAIGNS

**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.**

(§ 18303, Election 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.**

(§ 91000, 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.**

(§ 91001(a), Government Code.)

Sections referenced above:

EC:	18303	GC:	91000
16		84305	91001

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