

ORDINANCE NUMBER 581

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, ARIZONA, AMENDING THE CITY OF COTTONWOOD ZONING ORDINANCE BY DELETING SUBSECTION 405.B.22. SIGN, POLITICAL, AND ADDING A NEW SUBSECTION 405. B.22. SIGN, POLITICAL AND CAMPAIGN; AMENDING SECTION 405. E. REGULATIONS APPLICABLE TO SIGNS IN ALL DISTRICTS., BY ADDING A NEW SUBSECTION 14. POLITICAL AND CAMPAIGN SIGNS, AND 15. POLITICAL AND CAMPAIGN SIGNS LOCATED IN CITY RIGHTS-OF-WAY; AND DELETING SUBSECTION 405. G. 6. POLITICAL SIGNS.

WHEREAS, the City Council has determined that the following changes to the City's Zoning Ordinance are appropriate and desirable.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, AS FOLLOWS:

Section 1. That SECTION 405. SIGNS., of the Zoning Ordinance is hereby amended by deleting Subsection B. 22. SIGN, POLITICAL, and adding a new Subsection B. 22. SIGN, POLITICAL AND CAMPAIGN., as follows:

22. SIGN, POLITICAL AND CAMPAIGN - Any temporary sign announcing or supporting any candidate for public office or issues in connection with any national, state or local election.

Section 2. That SECTION 405. E. REGULATIONS APPLICABLE TO SIGNS IN ALL DISTRICTS., is hereby amended by adding a new Subsection 14. POLITICAL AND CAMPAIGN SIGNS., and 15. POLITICAL AND CAMPAIGN SIGNS LOCATED IN CITY RIGHTS-OF-WAY., as follows:

E. REGULATIONS APPLICABLE TO SIGNS IN ALL DISTRICTS

14. Political and campaign signs shall not require a sign permit but shall be subject to the following regulations:

a. Political and campaign signs may be located on private property with the property owner's permission.

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- b. Political and campaign signs shall be no more than six (6) square feet in area.
- c. Political and campaign signs may not be erected prior to sixty (60) days before the election. All such signs shall be removed within fifteen (15) days after a general election or fifteen days (15) after the primary election for a candidate who does not advance to the general election. The person or parties responsible for erecting the signs are responsible for their removal.
- d. Political and campaign signs shall not be placed in any public right-of-way, except in accordance with Subsection E.15 below.
- e. Political and campaign signs shall not be installed or placed on any structure, building or property owned or managed by the City of Cottonwood. Such signs shall be subject to immediate removal.
- f. Political and campaign signs shall not be attached to any other sign or sign structure, street light pole, traffic signal pole, utility pole or utility structure.
- g. Political and campaign signs shall include the name and telephone number of the candidate or campaign contact person placed in a clearly visible location on the sign.

15. Political and Campaign Signs located in City Rights-of-Way.

- a. Notwithstanding any other statute, ordinance or regulation, the City shall not remove, alter, deface or cover any political or campaign sign located within a public right-of-way owned or controlled by the City as long as the following requirements are met:
 - (1) The sign supports or opposes a candidate for public office or ballot measure.
 - (2) The sign does not pose a safety hazard, restrict movement of vehicles or people, obstruct clear vision in the area, or interfere with the requirements of the Americans with Disabilities Act. Signs shall not be located within or immediately adjacent to any travel lane or vehicle maneuvering area. Signs shall not be attached to any other sign or sign structure, street light pole, traffic signal pole, utility pole or utility structure.
 - (3) Signs shall not be located within the sight visibility triangle at street intersections and driveways as measured twenty-five (25) feet from the intersecting point from the side property lines.
 - (4) The sign may have a maximum area of sixteen (16) square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two (32) square feet if the sign is located in any other area.

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- (5) The sign shall include the name and telephone number of the candidate or campaign contact person placed in a clearly visible location on the sign.
- b. If authorized representatives of the City deem that the location of a political or campaign sign constitutes an emergency, City representatives may immediately relocate the sign. The City representative shall notify the candidate or campaign committee that placed the sign within twenty-four (24) hours after the relocation. If a sign is otherwise placed in violation of this Section and the placement is not deemed to constitute an emergency, the City shall notify the candidate or campaign committee that placed the sign of the violation. If the sign remains in violation at least twenty-four (24) hours after the City notified the candidate or campaign committee, the City may remove the sign. The City shall contact the candidate or campaign contact person and shall retain the sign for at least ten (10) business days to allow the candidate or campaign committee to retrieve the sign without penalty. If the sign has not been retrieved by the candidate after the 10 day notification period, the City shall have the right to dispose of the sign.
- c. The City Council may by Resolution designate political sign-free zones within the City for areas associated with commercial tourism, commercial resorts, and hotels. No political signs may be located within municipal rights-of-way in any areas designated as political sign-free zones within the City.
- d. As per A.R.S. § 16-1019, the exception allowing political signs in public rights-of-way does not apply to state highways or routes, or overpasses over such state highways or routes, which includes all of State Route 89A and State Route 260 through Cottonwood.
- e. This section applies only during the period commencing sixty (60) days before a primary election and ending fifteen (15) days after the general election, except for a candidate in a primary election who does not advance to the general election, the period ends fifteen days (15) after the primary election.
- f. This section does not apply to the removal, alteration, defacing or covering of a political sign 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 any private property on which such signs are placed with or without permission of the owner; or to signs placed in violation of any state law or City ordinance or regulation.

Section 3. That Subsection 405 G. 6. Political Signs, is hereby deleted.

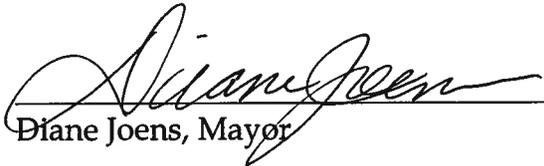
Section 4. That if any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be unlawful, invalid or unenforceable by

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decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof.

PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, ARIZONA, THIS 18TH DAY OF OCTOBER, 2011.


Diane Joens, Mayor

APPROVED AS TO FORM:

ATTEST:


Steven B. Horton, Esq., City Attorney


Marianne Jiménez, City Clerk

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