

ORDINANCE NO. 2020-04

AN ORDINANCE OF THE CITY OF SANTA CRUZ ADDING CHAPTER 9.54 “UNLAWFUL RESTRICTIONS ON POLITICAL SIGNS” TO TITLE 9 “PEACE, SAFETY AND MORALS” OF THE SANTA CRUZ MUNICIPAL CODE

BE IT ORDAINED by the City Council of the City of Santa Cruz As Follows:

SECTION 1. Chapter 9.54 “Unlawful Restrictions on Political Signs” of the Santa Cruz Municipal Code is added to read as follows:

**Chapter 9.54
Unlawful Restrictions On Political Signs**

9.54.010 Purpose.

The purpose of this chapter is to reasonably regulate landlords’ authority to restrict tenants’ ability to post political signs on rented property in compliance with California Civil Code Section 1940.4 and any other applicable federal or state laws;

9.54.020 Definitions.

- (a) Political Sign(s). A political sign is a sign related to any of the following:
 - 1. An election or legislative vote, including an election of a candidate to public office.
 - 2. The initiative, referendum, or recall process.
 - 3. Issues that are before a public commission, public board, or elected local body for a vote.
- (b) Sign(s). A sign may include banners, flags, posters and/or signs.

9.54.030 Posting Political Signs.

- (a) Tenants residing in a single family home may post/display Political Signs on any balcony, door, windows, outside wall, or yard of the single family rental unit.
- (b) Tenants living in a multifamily complex may post or display Political Signs on any door or windows of the multifamily rental unit.

9.54.030 Restrictions on Landlords.

For Political Signs posted or displayed in compliance with this chapter and California Civil Code Section 1940.4, landlords may not:

- (a) Remove, or order the removal (by a tenant or third party) of the Political Sign; or
- (b) Take any adverse action against a tenant for posting or displaying a Political Sign.

9.54.040 Exemptions to Landlord Restrictions.

A landlord may only prohibit a tenant from posting or displaying Political Signs if the sign:

- (a) Is more than 6 square feet in size
- (b) Violates local, state, or federal laws; or
- (c) Violates provisions concerning common interest developments.

9.54.050 Penalties for Violations.

- (a) Any landlord who violates any provision of this chapter shall be guilty of an infraction. Upon a first violation, any City officer authorized to issue citations shall deliver a written warning which shall recite the violation, and advise that future violations may result in fines.
- (b) Upon a subsequent violation, the following penalties shall apply:
 - 1. A fine of not more than \$50.00 for the first violation that occurs after the initial warning and before the next election to which the initial warning pertains; and
 - 2. A fine of not more than \$500 for any subsequent violation that occurs after the initial citation and before the next election to which the initial warning and initial citation pertains.

SECTION 2. SEVERABILITY.

If any provision of this chapter is found to be invalid such invalidity shall not affect any other provision of this chapter.

SECTION 3. EFFECTIVE DATE.

This ordinance shall be in force and take effect thirty (30) days after its final adoption.

ORDINANCE NO. 2020-04

PASSED FOR PUBLICATION this 14th day of January, 2020 by the following vote:

AYES: Councilmembers Watkins, Mathews, Brown, Glover, Krohn; Vice Mayor Meyers; Mayor Cummings.

NOES: None.

ABSENT: None.

DISQUALIFIED: None.

APPROVED: _____
Justin Cummings, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

PASSED FOR PUBLICATION this 28th day of January, 2020 by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

APPROVED: _____
Justin Cummings, Mayor

ATTEST: _____
Bonnie Bush, City Clerk Administrator

This is to certify that the above and foregoing document is the original of Ordinance No. 2020-04 and that it has been published or posted in accordance with the Charter of the City of Santa Cruz.

Bonnie Bush, City Clerk Administrator