

ORDINANCE NO. 2969

**AN ORDINANCE AMENDING SECTION 1.50 OF THE
MUNICIPAL CODE OF THE CITY OF GREENFIELD RELATING TO
THE PLACEMENT OF CAMPAIGN SIGNS WITHIN THE CITY**

WHEREAS, the Common Council previously adopted section 1.50 of the Municipal Code of the City of Greenfield which establishes certain rules related to elections within the City including the placement of campaign signs; and

WHEREAS, the Common Council desires to modify such rules for the purposes of providing better clarity; and

WHEREAS, the Common Council recognizes the need to balance the health, welfare and safety of the community with the right to free speech under the Constitution — especially as it relates to speech related to elections; and

WHEREAS, the Common Council finds that the restrictions enacted herein represent the least restrictive means of protecting the public’s interest in the health, safety and welfare of the community;

NOW, THEREFORE, the Common Council of the City of Greenfield do ordain as follows:

PART I: Section 1.50(5) of the Municipal Code is hereby amended as follows:

(5) This section shall be the governing section for political campaign signs throughout the City.

(a) Political campaign signs shall not be posted or placed without the consent of the property owner, lessee or occupant and shall not be posted or placed so as to create a hazard to pedestrians or vehicular traffic.

(b) No campaign signs are permitted on any public property including right-of-way and medians, except that a campaign sign may be placed within City right-of-way provided that it is done with the permission of the owner, occupant or lessee of the abutting property and if it otherwise complies with subsection (c).

(c) Any campaign sign permitted to be posted or placed under this section, shall be posted or placed only on the buildable side of any public sidewalk. In the case there is no sidewalk, any election campaign sign permitted to be posted or placed under this section shall be posted or placed on the buildable side of the ditch line, or a minimum of 4 feet in from the edge of the roadway surface if there is no ditch.

(d) Nothing in this section shall be construed as authorizing or permitting the placement or posting of any signage whatsoever in county or state right-of-way, or in violation of any state or county rule, regulation or law.

(e) Any election campaign sign or other sign determined to have been posted or placed in contravention of this section may be forthwith removed by the owner-occupant, tenant or authorized City personnel. If a sign creates a traffic hazard to vehicular and/or pedestrian traffic, it shall be removed by the Police Department or Department of Public Works. A candidate whose campaign signs have been removed by the Police Department or Department of Public Works personnel shall be notified by the Police Department or Department of Public Works regarding said confiscated signs. Confiscated signs shall be destroyed if the candidate fails to reclaim them within 5 days of notification.

PART II: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

PART III: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

PART IV: This ordinance shall take effect and be in force upon its passage and on the day after its publication.

PASSED AND ADOPTED by the Common Council of the City of Greenfield on this

15th day of December, 2020.

APPROVED:

Michael J. Neitzke, Mayor

ATTEST:

Jennifer Goergen, City Clerk

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