



# City of Woodland

## REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR  
AND CITY COUNCIL

DATE: April 13, 2010

SUBJECT: Ordinance Prohibiting Landlords from Restricting Display of Political Signs by Tenants

### **Report in Brief**

The proposed ordinance would amend the City's sign ordinance to prohibit landlords from restricting the ability of tenants to display political signs. The ordinance would require any signs displayed to comply with all requirements of the City's sign ordinance.

### **Discussion**

The City Council has previously directed staff to prepare and submit for the Council's consideration an ordinance prohibiting landlords from restricting the ability of tenants to display political signs. The City of Davis has adopted a similar ordinance, and this proposed ordinance is partially modeled on the Davis ordinance. Because there are legal issues associated with treating certain types of signs differently from others based on their content, the proposed ordinance specifies that any signs displayed by tenants must comply with all requirements of the City's sign ordinance.

### **Fiscal Impact**

No fiscal impact is anticipated.

### **Public Contact**

Posting of the City Council agenda.

**SUBJECT:**

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**ITEM:**

**Alternative Courses of Action**

1. Approve and enact Ordinance No. \_\_\_\_ to prohibit landlords from restricting the ability of tenants to display political signs.
2. Do not adopt the proposed ordinance.

**Recommendation for Action**

Staff recommends that the City Council consider the alternatives and select whichever best meets the needs of the community.

Prepared by: Andrew J. Morris  
City Attorney

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Mark G. Deven  
City Manager

Attachments: Proposed ordinance

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WOODLAND, CALIFORNIA PROHIBITING LANDLORDS FROM RESTRICTING DISPLAY OF POLITICAL SIGNS BY TENANTS**

**WHEREAS**, the display of signs addressing political causes is a common means by which members of the community can demonstrate their support for, or opposition to, various political issues; and

**WHEREAS**, in some instances the terms of leases of property may prohibit tenants from displaying political signs, thereby inhibiting tenants' participation in the political process through the display of signs; and

**WHEREAS**, the City Council wishes to ensure that landlords do not restrict the display of political signs by tenants, but wishes to ensure that any such signs are displayed in full compliance with the City's sign ordinance;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF WOODLAND DOES ORDAIN AS FOLLOWS:**

**Section 1.** The City Council hereby adopts the recitals and findings set forth above and in the staff report prepared in connection with this ordinance.

**Section 2.** Section 25-24-80 is hereby added to the Woodland Municipal Code to read as follows:

Notwithstanding any lease to the contrary, no landlord or lessor shall prohibit a tenant lawfully in possession from posting political signs. Notwithstanding the foregoing, any sign displayed by a tenant shall comply in all respects with the requirements of Article 24, and no tenant shall display any sign which does not so comply.

**Section 3.** This Ordinance supersedes and voids all prior ordinances, resolutions, and other Council actions, which are inconsistent with its terms.

**Section 4. Severability.** If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. This City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance be enforced.

**Section 5. Effective Date and Publication.** The City Clerk shall certify to the adoption of this Ordinance, and the City Clerk shall cause this Ordinance to be posted or published as prescribed by law. This Ordinance shall take effect thirty (30) days following its adoption.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

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Marlin H. Davies  
Mayor

**ATTEST:**

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Sue Vannucci  
City Clerk

**APPROVED AS TO FORM:**

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Andrew J. Morris  
City Attorney

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