



**Date: 06/11/12**

**RE: Political Signs**

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As the 2012 election cycle gets into full swing, the Pinal County Elections Department would like for all candidate campaign committees to be aware of the rules and regulations regarding the posting of political signs in order to help prevent their costly loss. Each local jurisdiction has the authority to adopt its own ordinances restricting the public display of any type of sign. Chapter 2.145 of Pinal County's Development Services Code generally requires a sign permit but does give the following exemption for political signs:

*The following signs shall be exempt from obtaining permits and other provisions of this title provided they satisfy all requirements or specifications contained within this section.*

*E. Political signs on private property; provided, however, that such signs shall be erected no more than 90 days prior to, and removed within 15 calendar days following the date of the election to which they refer, and that the total sign area permitted on any lot or parcel shall not exceed 32 square feet on residentially zoned property and 64 square feet on commercially zoned property.*

The full text of the code can be found online at  
<http://www.codepublishing.com/AZ/pinalcounty/>.

When posting signs within the boundaries of an incorporated area (City of Apache Junction, City of Casa Grande, City of Coolidge, City of Eloy, Town of Florence, Town of Kearny, Town of Mammoth, City of Maricopa, Town of Queen Creek & the Town of Superior), be sure to check with the local municipality to ensure that you are in compliance with any of its codes which will supersede the County's.

When posting signs along public rights of way, the Arizona Department of Transportation may remove them if they violate their rules as well. It is recommended that you contact ADOT prior to placing signs along state highways. As complex as all of this is, state law (16-1019) does provide protection for political signs as long as it meets certain criteria, regardless of the jurisdiction it is posted in. To highlight the main points of these criteria:



PINAL COUNTY  
*wide open opportunity*

*Notwithstanding any other statute, ordinance or regulation, a city, town or county of this state shall not remove, alter, deface or cover any political sign if the following conditions are met:*

- 1. The sign is placed in a public right-of-way that is owned or controlled by that jurisdiction.*
- 2. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.*
- 3. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611).*
- 4. The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other area.*
- 5. The sign contains the name and telephone number of the candidate or campaign committee contact person.*

The full text of the statute has been included for your convenience. Should you have any further questions or concerns, please feel free to contact the Elections Department.

16-1019. Political signs; printed materials; tampering; classification

A. It is a class 2 misdemeanor for any person to knowingly remove, alter, deface or cover any political sign of any candidate for public office or knowingly remove, alter or deface any political mailers, handouts, flyers or other printed materials of a candidate that are delivered by hand to a residence for the period commencing forty-five days before a primary election and ending seven days after the general election.

B. This section does not apply to the removal, alteration, defacing or covering of a political sign or other printed materials 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 private property on which such signs are placed with or without permission of the owner or placed in violation of state law or county, city or town ordinance or regulation.

C. Notwithstanding any other statute, ordinance or regulation, a city, town or county of this state shall not remove, alter, deface or cover any political sign if the following conditions are met:

1. The sign is placed in a public right-of-way that is owned or controlled by that jurisdiction.

2. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.

3. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611).

4. The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other area.

5. The sign contains the name and telephone number of the candidate or campaign committee contact person.

D. If the city, town or county deems that the placement of a political sign constitutes an emergency, the jurisdiction may immediately relocate the sign. The jurisdiction shall notify the candidate or campaign committee that placed the sign within twenty-four hours after the relocation. If a sign is placed in violation of subsection C and the placement is not deemed to constitute an emergency, the city, town or county may notify the candidate or campaign committee that placed the sign of the violation. If the sign remains in violation at least twenty-four hours after the jurisdiction notified the candidate or campaign committee, the jurisdiction may remove the sign. The jurisdiction shall contact the candidate or campaign committee contact and shall retain the sign for at least ten business days to allow the candidate or campaign committee to retrieve the sign without penalty.

E. A city, town or county employee acting within the scope of the employee's employment is not liable for an injury caused by the failure to remove a sign pursuant to subsection D unless the employee intended to cause injury or was grossly negligent.

F. Subsection C does not apply to commercial tourism, commercial resort and hotel sign free zones as those zones are designated by municipalities. The total area of those zones shall not be larger than three square miles, and each zone shall be identified as a specific contiguous area where, by resolution of the municipal governing body, the municipality has determined that based on a predominance of commercial tourism, resort and hotel uses within the zone the placement of political signs within the rights-of-way in the zone will detract from the scenic and aesthetic appeal of the area within the zone and deter its appeal to tourists. Not more than two zones may be identified within a municipality.

G. A city, town or county may prohibit the installation of a sign on any structure owned by the jurisdiction.

H. Subsection C applies only during the period commencing sixty days before a primary election and ending fifteen days after the general election, except that for a sign for a candidate in a primary election who does not advance to the general election, the period ends fifteen days after the primary election.

I. This section does not apply to state highways or routes, or overpasses over those state highways or routes.