



## MEMORANDUM

**Date:** July 15, 2020

**To:** Candidates for 2020 Election

**From:** Shaun Cullinan, Planning and Zoning Official, Charlotte County

**Subject:** Restrictions on Election Signage

As the Election cycle is once again upon us, with the primary election being held August 18, 2020, and the general election being held November 3, 2020, the Code Compliance and Zoning Divisions of the Charlotte County Community Development Department would like to remind the candidates and their supporters of the regulations in effect regarding Political Signs. There have been some changes recently to the sign code to better align them with the statutory allowances, but the main tenets remain the same, those being the following:

1. No Signage is allowed in any Rights-of-way (ROW).
2. All locations must have property owner approval for placement.
3. Per the policies of Charlotte County, Florida, no signs may be placed at any County owned polling place unless being physically held by a person in the pursuit of active campaigning, with said person adhering to all State regulations regarding distances from a polling facility. There shall be no tents, tables, or other appurtenances erected or placed on County owned properties.

Charlotte County Code Section 3-9-85, specifically 1.1.11 States the following:

D. Additional temporary signs during elections. One (1) additional sign six (6) square feet or less in area, or two (2) signs not exceeding four (4) square feet each, located on private property during the period from forty-five (45) days prior to, and fifteen (15) days after, any public election in Florida.

1. Pursuant to F.S. § 106.1435(3), no such sign shall be erected, posted, painted, tacked, nailed

### **Community Development Department**

Planning and Zoning

18400 Murdock Circle | Port Charlotte, FL 33948-1068

Phone: 941.743.1964 | Fax: 941.743.1598

or otherwise displayed, placed or located within, on or above any state or county right-of-way. Upon a determination by the county that a violation of this restriction exists at one (1) or more locations, the signs may be immediately removed or be caused to be removed by the county.

2. Upon a determination by the county of any violation of this exemption, other than addressed above in 3., the affected candidate or sign owner, if determinable, will be contacted and advised of the violation. The candidate or sign owner will have no more than twenty-four (24) hours to remove the sign or cause the sign to comply with the requirements of this article.

3. The affected candidate or sign owner, if determinable, will then be notified of said removal. Any election signs removed by the county shall be stored for five (5) business days and will be returned upon payment of a removal and storage fee of twenty dollars (\$20.00) per sign. Election signs not picked up within this period shall be discarded. Pursuant to County Ordinances, vehicles used for the advertising of candidates or measures must follow the following section of code.

E. Vehicle signs located on a truck, bus, trailer, taxi or other vehicle which is being operated or parked on-site while in the course of business, provided:

1. That the primary use of the vehicle is not for the purpose of advertisement, such as a delivery vehicle.

2. The vehicles must have a current license plate and be in operable condition, and shall only be parked in designated parking areas as defined by this code.

3. The vehicle's signs must be painted on, attached by magnet, graphic wrap, window tinting, or by some other means incorporated into the vehicle in an aesthetic and safe manner.

4. Hanging banners, placing placards or signs inside the windows of vehicles, painting the windows of, or otherwise attaching signs to a vehicle in a manner which would endanger the driver's safety is prohibited, except where the vehicle itself is advertised for sale and the vehicle is not being driven regularly as a result.

5. In no case shall such vehicles be parked in rights-of-way or on publicly owned land unless in the course of business and only for the duration of the actual business transaction which necessitated the temporary placement of the vehicle at that location.

Your cooperation in this matter is requested. If you have any questions, please contact Shawn Horton, Code Compliance Manager, at (941) 764-4148, Monday thru Friday 8:00 a.m. to 5:00 p.m.

Sincerely,  
*Shaun Cullinan, Planning and Zoning Official*