

Sign Ordinance Proposed Text Edits

Reed v. Gilbert: Content Neutrality



Planning Commission

July 11th, 2018



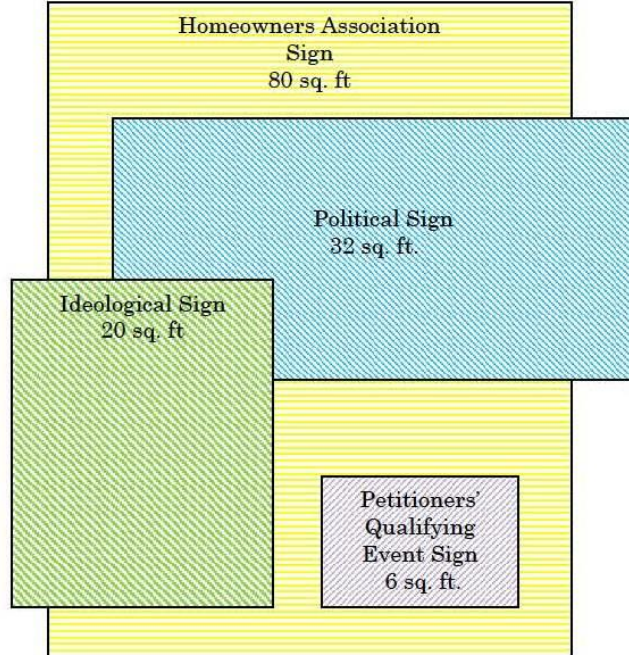
Overview

- Reed v. Gilbert Supreme Court Case
- Good News Presbyterian Church sues Town of Gilbert.
- Town Of Gilbert Az. Sign Code found to be content-based and therefore unconstitutional.





Town of Gilbert Content Based Regulations



DURATION

Display Time Before	Sign Content	Display Time After
Unlimited	Ideological	Unlimited
4 ½ Months	Election	15 Days
30 Days	HOA Event	48 hrs
16 hrs	Real Estate Sale	36 hrs
12 hrs	Religious Event	1 hr



Non Content Based Regulations

If you have to read the face of a sign to understand its regulations then it is content based.

- Political Signs
- Real Estate Signs
- Ideological Signs



Non Content Based Sign Regulations are based on:

- Structure of sign
- Duration of Display
- Location of sign
- Number of Signs





Exceptions Post Reed

Commercial/ Non-commercial, On-premise, and Off-premise Signs

Even though we must read a sign to know if it is off premise, the State of Texas and the Ninth Circuit Court agree that regulation of commercial signs, including an on premise and off premise distinction is permissible. **It receives intermediate, not strict scrutiny**



Summary of Proposed Changes

- Address Identification
 - Eliminate identification of Institutional, Political, and Real Estate Signage
 - Definition of Noncommercial Messages and Sign
 - Sign Industry Stakeholder Meeting May 31, 2018
 - Staff Recommends Approval
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