

ORDINANCE NO. 1173

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKLIN TO AMEND SECTION 17.75.070 D. TEMPORARY SIGNS OF THE ROCKLIN MUNICIPAL CODE TO ESTABLISH A COMPLIANCE DEPOSIT AND SIGN REMOVAL PROCESS (Temporary Signs / ZOA2023-0004)

WHEREAS, Section VII of Article XI of the California Constitution provides that a City may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

WHEREAS, the City Council finds it necessary to update, consolidate, and streamline the Rocklin Municipal Code (“RMC”) periodically to comply with recent law enactments and decisions and to achieve more efficient enforcement of code violations to promote public health, safety, and welfare; and

WHEREAS, the City Council of the City of Rocklin amended Rocklin Municipal Code Section 17.75.070 D related to temporary noncommercial signs in 2021 to provide clarity on the time, place, and manner in which temporary signs could be placed; and

WHEREAS, since the adoption of the amended Code, the placement of such signs in violation of the code has continued to create difficulty for staff; and

WHEREAS, the City Council has identified the need to have cost recovery for temporary noncommercial signs that are placed in violation for the Rocklin Municipal Code; and

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

Section 1. Findings. The findings and recitals set forth above are true and correct.

Section 2. Purpose. The purpose of this proposed ordinance is to modify Rocklin Municipal Code (RMC) Section 17.75.070 (D) Noncommercial signs which addresses temporary noncommercial signs, in all areas of the City of Rocklin to establish a deposit to be used for the abatement of such signs not placed in conformance with the adopted regulations, and procedures for removal of non-compliant signs.

Section 3. Authority. The City Council enacts this ordinance under the authority granted to cities by Article XI, Section 7 of the California Constitution and Government Code section 37100.

Section 4. Amendment. Section 17.75.070 (D) of the Rocklin Municipal Code is hereby amended to read as follows:

- D. Noncommercial Signs. Temporary noncommercial signs shall be permitted in all zone districts without a sign permit, provided that all such signs are subject to, and shall comply with, the following standards:
1. Temporary noncommercial signs shall only be installed on private property; such signs may not be located in the public right-of-way or on publicly owned property.
 2. Temporary noncommercial signs shall only be installed with the property owner's consent.
 3. The maximum size of a temporary noncommercial sign shall be sixteen square feet in area.
 4. The maximum height of a temporary noncommercial sign shall be six feet.
 5. Temporary noncommercial signs shall not be illuminated, nor shall they incorporate moving parts, animation, or highly reflective materials.
 6. Freestanding temporary noncommercial signs shall be set back a minimum of five feet from any property line, and shall not be located within fifteen feet of a fire hydrant, street sign, or traffic signal, and shall not interfere with, confuse, obstruct, or mislead traffic. At street intersections and driveways, no sign exceeding thirty inches in height shall be erected within the "clear view zone" as defined in Rocklin Municipal Code Section 17.75.120.
 7. There shall be no restriction on the number of temporary noncommercial signs located on a given property.
 8. Temporary noncommercial signs may only be displayed during the period commencing forty-five days before the event to which they relate, for example, a general or special election, as defined in the California Election Code, and ending five days after such event concludes.
 9. Temporary noncommercial signs shall be removed no later than five days after the event with which they are associated. Except that, in the event the matter for which the sign is relevant is carried over or delayed by no more than forty-five days after the original event date such signs may remain in place until five days after the event concludes.
 10. A temporary noncommercial sign that does not comply with the standards set forth herein is a nuisance, and any such sign may be removed summarily and disposed of by the city at the expense of the person or group that erected the sign.
 11. Sign Deposit. No signs shall be displayed under the provisions of this Section until the responsible person or organization first deposits five hundred dollars (\$500.00) with the City Clerk's Office to guarantee compliance with the provisions of this section and reimburse the City for the cost of any damages caused by signs placed on public properties. The deposit shall be accompanied by written authorization for the city to enter private properties to remove such signs if not removed as required by subsection (8) of this section. The deposit

shall be refunded upon request once all signs have been removed by the responsible party within the time required by subsection (9) except that:

- a. If an authorized enforcement officer has removed signs that are placed in violation of any subsection of this section, the deposit returned to the responsible party will be less the abatement fees; and
- b. Signs that are placed in a manner inconsistent with subsection (1) and caused damage to public property. The exact costs to repair the damage will be deducted from the deposit.

12. Removal of Signs.

- a. Signs placed in a manner that is inconsistent with the provisions of this Section will be considered a nuisance and subject to immediate removal and impoundment without notice. Impounded signs will be held for thirty days. The City will make reasonable attempts to contact the sign owner and provide the owner with ten days' notice to reclaim the sign upon recovery of City's costs. Impounded signs, which remain unclaimed after thirty days, may be disposed of in any manner whatsoever at the discretion of the City.
- b. Should signs require removal by an authorized enforcement officer, the city shall have cause to impose an abatement fee charged against the sign deposit in accordance with section 1.08.035 of the Rocklin Municipal Code.

13. Temporary noncommercial signs shall comply with all other applicable provisions of this chapter, except as specifically modified herein.

Section 4. Severability. If any section, sub-section, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance and each section, sub-section, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases or portions to be declared invalid or unconstitutional.

Section 5. Environmental Analysis. The City Council hereby finds that this ordinance is not subject to review under the California Environmental Quality Act (CEQA) pursuant to Sections 15060, subdivision (c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15061, subdivision (b)(3) (there is no possibility the activity in question may have a significant effect on the environment) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Section 6. Effective Date. This ordinance shall take effect thirty (30) days after the day of its adoption.

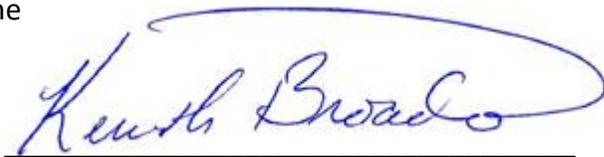
Section 7. Publication. Within fifteen days of passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Council members voting for and against the ordinance, to be published in the Placer Herald. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within fifteen days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Council members voting for and against the ordinance, to be published in the Placer Herald, and shall post in the office of the City Clerk a certified copy of the City Council members voting for and against the ordinance. The publication of a summary of the ordinance in lieu of the full text of the ordinance is authorized only where the requirements of Government Code section 36933(c)(1) are met.

INTRODUCED at a regular meeting of the City Council of the City of Rocklin held on September 26, 2023, by the following vote:

AYES:	Councilmembers:	Bass, Gayaldo, Halldin, Broadway
NOES:	Councilmembers:	Janda
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Rocklin held on October 10, 2023, by the following vote:

AYES:	Councilmembers:	Bass, Gayaldo, Halldin, Broadway
NOES:	Councilmembers:	Janda
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None



Ken Broadway, Mayor

ATTEST:



Haley Reid, Acting City Clerk