



Public Works Agency
 Department of Facilities & Environment
 Keep Oakland Clean & Beautiful Division

Standard Operating Procedure

SUBJECT:	Removal of political signs and posters placed on public and private property
INTENT:	Maintain compliance with Oakland Municipal Code §5.06.020 regulations governing the posting of signs
RESPONSIBLE PERSON(S):	Public Works Agency
CRITICAL TIMING:	During Election Years
INVOLVED INDIVIDUALS:	Public Works supervisory and field staff
OBJECTIVES:	Keep the public right of way clear of illegal postings
REVIEW:	Review annually in June

Overview

Every election cycle, the City receives complaints about the alleged misplacement of political signs throughout the City. This procedure outlines the provisions of Oakland’s campaign “sign ordinance” and the Public Works Agency protocols regarding the removal of campaign signs from the public right of way.

Procedures

Definition of Public and Private Property

- Public property includes but is not limited to sidewalks, curbs, streets, paths, medians, and City of Oakland owned property (improved and vacant). Structures considered public property include public trees, litter containers, street light poles, electrical cabinets, utility poles, parking meters, and fire hydrants.
- Although the planter strip between the sidewalk and curb is in the public right of way, it is maintained by the adjacent property owner (public or private). Signs can be maintained there if the private property owner consents. It is assumed that the private property owner will remove any unauthorized sign from the planter strip adjacent to their property.

Definition of Items

- Political signs and posters (“signs”) include all signs, banners, pennants, flyers, handbills, posters, billboards, or stickers.

Process for Removing Political Signs

- Signs on private property, including vacant lots, other improved or developed property and perimeter fencing, shall be treated with the assumption that the private property owner has approved them. **We are not to remove signs from private property.** This is the responsibility of the private property owner.

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Removal of Political Signs

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- If a vacant lot is suspected to be owned by the City (public property), then the supervisor will confirm through the “WinData System” if the lot is owned by the City of Oakland, prior to sign removal.
- Political signs on public property will be removed and disposed of.



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Date Revised: June 21, 2012

Attachments:

Oakland Municipal Code §5.06.010

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5.06.020 - Regulations governing the posting of signs.

- A. Except as otherwise provided in this code, it is unlawful for any person, candidate or political committee, except a public officer or employee in the performance of his or her duty, to post, stick, stamp, paint, mark, staple, or otherwise affix any sign, banner, billboard, pennant, flyer, poster, notice, handbill, or advertisement of any kind:
 - 1. Upon any private property, without permission in writing from the owner, agent, trustee or occupant of such premises; or
 - 2. Upon any public property, which includes, but is not limited to:
 - a. Any sidewalk, crosswalk, curb, curbstone, street lamp post, hydrant, public tree, public shrub, public tree stake or guard, railroad trestle, electric light or power or telephone or telegraph or trolley wire pole, or wire appurtenance thereof or upon any fixture of the fire alarm or police telegraph system or upon any public lighting system, upon bridge, public drinking fountain, public ornamental fountain, public life buoy, public life preserver, public life boat or other life saving equipment, street sign, traffic sign, public building, improvement or facility, or
 - b. On any public trash or garbage receptacle, or parking meter; or
 - 3. To suspend any banner, sign, or advertising notice from, or attach the same to, any wire or other device crossing or overhanging any public street, sidewalk, park, thoroughfare or right-of-way, without the written permission of the city.
- B. Nothing contained in this section shall apply to the installation of terrazzo sidewalks or sidewalks of similar construction, sidewalks permanently colored by an admixture in the material of which the same are constructed, and for which the city has granted a written permit.
- C. Nothing in this section shall apply to the painting of house numbers under curbs done under permits issued by the city.
- D. Any sign, banner, billboard, pennant, flyer, poster or handbill found, placed, painted, marked, written upon, posted, stapled, taped, glued or otherwise affixed upon any public property contrary to the provisions of this section may be removed immediately by the city.
- E. As defined in this section, "sign" shall include, but not be limited to, any sign designed to influence voters to support or oppose any candidate or ballot measure.
- F. As defined in this section, "candidate" shall include any person who seeks nomination or election to an office at any election.
- G. As defined in this section, "political committee" shall include any committee, organization, association, or corporation organized for the purpose of charged with the duty of conducting the election campaign in support of or in opposition to any candidate or ballot measure at any election.
- H. As defined in this section, the term "public" shall include any facility, structure, building, property activity or object which is owned, leased, or otherwise operated, controlled or managed by the city of Oakland, Redevelopment Agency of the city, any department, office, agency or sub-agency of the city.

(Prior code § 5-3.02)