

ORDINANCE NO. 2011-364

AN URGENCY ORDINANCE OF THE CITY OF LOS ALTOS
AMENDING CHAPTER 9.26, SECTION 9.26.100 ENTITLED "REAL
ESTATE OPEN HOUSE SIGNS."

WHEREAS, by adopting this Ordinance, the City Council intends to balance the right of free speech by sign display against the community interests in limiting the impacts of excessive and/or inappropriate signs; and

WHEREAS, the City Council further intends by this Ordinance to regulate signs in a manner which is consistent with the Constitutions and laws of the State of California and the United States; and

WHEREAS, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended.

The City Council of the City of Los Altos does hereby ordain as follows:

SECTION 1. AMENDMENT OF CODE: Chapter 9.26 of the Los Altos Municipal Code ("LAMC") entitled "Signs on City Property" is hereby amended by repealing Section 9.26.100 in its entirety and replacing it with a new section 9.26.100 to read as follows:

"9.26.100

Real Estate Open House

Licensed Realtors and "for sale by owners" may display "open house" type signs on City sidewalks property as follows:

- A. Display Time. Only during the hours of 9:00 a.m. to 1:30 p.m. on Fridays, and 11:30 a.m. to 6:00 p.m. on Saturdays, Sundays and legal holidays.
- B. Display Face. It shall not be illuminated, digital or have moving parts.
- C. Dimensions. May not exceed four (4) square feet per display face (maximum two display faces per sign), plus two "riders," each not more than one square foot, and not to exceed thirty-two (32) inches in height.
- D. Location and Number of Signs. On a public sidewalk and placed so as to minimize interference with pedestrian traffic. For any given property currently open for inspection, a maximum of one open house sign may be placed on public property at an intersection and placed so as to minimize interference with pedestrian traffic restricted to one sign per intersection. Beyond intersections, signs are not allowed on the City street medians or right-of-ways, and or within Foothill Expressway medians or right-of-ways.
- E. The message substitution policy of Chapter 14.68 applies to this section.

F. The signs authorized by this section do not require a sign permit, but are subject to all other applicable permits and approvals.”

SECTION 2. CONSTITUTIONALITY / SEVERANCE. If any section, subsection, sentence, clause or phrase of this urgency Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Los Altos hereby declares that it would have passed and adopted this Ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared invalid or unconstitutional.

SECTION 3. PUBLICATION. This Ordinance shall be published as provided in Government Code Section 36933.

SECTION 4. EFFECTIVE DATE: This Ordinance, pursuant to Government Code section 36937, is hereby declared to be necessary as an urgency measure for the preservation of the public peace, health, safety and property in the City, and as such shall take effect immediately and be in full force and effect after its adoption and after publication at least once in an official newspaper of the City for the following reasons:

The City Council finds that this Ordinance must be adopted as an urgency ordinance and is necessary (1) to correct any conflicts between existing City policies and this Ordinance and (2) to avoid confusion and to assure the public as to what rules, regulations and procedures will apply to real estate open house signs.

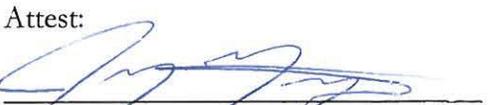
In order to accomplish these goals, Los Altos Municipal Code Chapter 9.26, as amended, must be adopted by means of this urgency Ordinance.

PASSED this 8th day of March 2011, by the following vote:

Ayes:	PACKARD, CARPENTER, CASAS, FISHPAW, SATTERLEE
Noes:	NONE
Abstain:	NONE
Absent:	NONE



Ronald D. Packard, MAYOR

Attest:


Jon Maginot, INTERIM CITY CLERK
Date: 3/8/11