

ORDINANCE NO. 2011-365

**AN 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 Real Estate Brokers or Salespersons and "for sale by owners" may display "open house" type signs on City 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. 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. Beyond intersections, signs are not allowed on 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 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 shall be effective upon the commencement of the thirty-first day following the date the adopted Ordinance is attested by the City Clerk.

The foregoing ordinance was duly and regularly introduced at a meeting of the City Council of the City of Los Altos on March 8, 2011 and was thereafter, at a regular meeting held on March 22, 2011 passed and adopted by the following vote:

AYES: PACKARD, CARPENTER, CASAS, FISHPAW, SATTERLEE

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



Ronald D. Packard, MAYOR

Attest:


Jon Maginot, DEPUTY CITY CLERK

Date: MARCH 22, 2011