



Political Buzz

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Wednesday, June 25th, 2008

Pierce County Council may limit illegal sign collection

Posted by David Wickert @ 09:24:30 am

The Pierce County Council may limit the kind of illegal signs that are removed from county right of ways.

By a 3-0 vote, the council's Rules Committee on Monday approved two amendments to a budget ordinance that address illegal sign removal. The first directs the public works department to target "off premises advertising signs located in the county right-of-way."

The exact impact of the amendment is unclear to Bruce Wagner, the county's road maintenance manager. But it appears to direct his staff not to remove signs that advertise businesses or real estate adjacent to the public right of way where the sign is located.

Wagner said that won't affect the vast majority of signs his staff collect, which advertise real estate and businesses far from the right of way where they're collected. But he's seeking clarification of the amendment.

The other amendment would require the county to store the illegal signs it removes for at least 10 days if the signs contain a first and last name, address and telephone number. That would allow the owner to retrieve the sign.

Illegal signs have been a hot topic since the county launched a **pilot program** [see "[County set to attack sign clutter](#)"] last summer to remove them. That pilot program was expanded to a countywide enforcement program in February.

Since then, Wagner's team has collected 7,749 illegal signs from county rights of way.

The program is popular with county residents fed up with a proliferation of ugly signs. It has drawn **criticism from real estate agents** [see attached articles "[Pierce County road crew workers yank signs, real estate agents steamed](#)" and "[For-sale, open house signs taken to the dump](#)"] and others who say the signs are an important tool for generating business. On Monday the amendments drew praise from Catherine Rudolph of the Tacoma-Pierce County Association of Realtors.

Council members portrayed the changes as a short-term fix while they work on long-term solutions to the sign issue.

You can download the first amendment **here** [see [Committee Amendment No.5 - Proposed Ordinance No. 2008-35](#)] and the second **here** [see [Committee Amendment No. 6 - Proposed Ordinance No. 2008-350](#)]. The budget ordinance containing these provisions has not been scheduled for a final council hearing.

Committee Amendment No.5 - Proposed Ordinance No. 2008-35

Here's the language in the council's original budget proviso addressing illegal sign removal:

PROVIDED, up to \$168,000 of this appropriation shall be used by the Public Works and Utilities Department to operate a county-wide sign enforcement and abatement project; PROVIDED FURTHER, the Department shall report the results of the program to the Economic and Infrastructure Development Committee of the Council on a quarterly basis.

Categories: **Pierce County** • 14 comments

COMMENTS:

Comment by **WTF** @ 09:43 - Wednesday, June 25th, 2008 

This is exactly what I want to see more of from the PCC. I hope they spend eight more months figuring out what to do with these signs. The more they fiddle-de-diddle around with petty nonsense like this, the fewer of the things I care about get screwed up!

Comment by **mattersnot1** @ 09:52 - Wednesday, June 25th, 2008

Absolutely amazing!

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The county violates the law by removing these signs.

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See Collier v City of Tacoma and Mighty Movers, Inc. v City of Seattle.

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I don't like the signs either, but the law is the law and the County's law cannot supercede our State Supreme Court's rulings.

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I'm waiting for the lawsuits to start.

Comment by **S_Emerson** @ 12:26 - Wednesday, June 25th, 2008 

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Mattersnot1,

The cases you point to differ from this issue. This basis of suit for this particular issue, if certain proposed legislation is passed, is Ballen V. City of Redmond.

Comment by **mattersnot1** @ 13:06 - Wednesday, June 25th, 2008

Stacy, I've researched back into the 50s and can't find this case law. Please provide me with the cite. Or, is this just some Superior Court action?

Comment by **S_Emerson** @ 13:39 - Wednesday, June 25th, 2008 

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Here, use this, then pick from the results - <http://tinyurl.com/6c2seu>.

Then, if you wouldn't mind, share your thoughts here or off list via stacy.emerson@gmail.com :)

□Comment by **Idozy123** @ 14:54 - Wednesday, June 25th, 2008 ☑

Sad to see the Council back away from this. It made a nice difference in the roads around our area to not be littered daily with tons of signs. Until recently, our roadways looked soo trashy because of the excess .

Seems like another sell out and I am very disappointed.

If their going to change the ordinance, then post a kisok at designated sites and let the builders fight each other for space placement but please, lets not return to allowing a sign littered Pierce County. What a step back.

□Comment by **S_Emerson** @ 16:28 - Wednesday, June 25th, 2008 ☑

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Kiosks are a no-go too, unless the kiosks allow for other commercial industries to post placards on them as well. Now, given the snakiness of some folks, and the obvious plans of the MBA, TPCAR and the sign company who presented the kiosk "idea" during the ad hoc committee session, I have no doubt that any other commercial industry who might want to advertise on these kiosks would be told there's no vacancies.

Also, if, as one council member stated during a committee meeting, these kiosks could be limited to say one every 500 feet or so, it "might" be an acceptable compromise. We'll, considering that certain folks refuse to play by the rules (and play dumb about the rules), we'd still have bad players.

Also, given that all other commercial businesses will remain limited to signage placed ONLY on the private property portion of where their business is located, Pierce County would open its doors to lawsuits for violation of First Amendment rights.

And lastly, visibility of legal signs could/would be obstructed by these off-premise kiosks, just as they are by the currently-illegal signs.

See <http://tinyurl.com/54h7ha>, then share your thoughts.

□Comment by **DAKOTANATIVE** @ 21:34 - Wednesday, June 25th, 2008 ☑

Can you imagine if every grocery store, hardware store, barber shop, car dealer, amway salesman, ect... put a sign every 10 feet? It would be a mess, but if you let one group, you gotta let em all. Down with the signs.

□Comment by **Idozy123** @ 23:10 - Wednesday, June 25th, 2008 ☑

Whats amazing is the facts . How and why did the ruling change? Was it \$\$ related to an election year? There isn't any real reason to change this otherwise.

The Council spent how much time and money in meetings, MBA etc. had representation, it passed , residents saw not only a cleaner road side but were informed on how much money from this littering the county was letting these businesses get away with costing us on the first run.

So now its changing back? Did the citizens ask for this uncontrolled litter to resume (the ones who were mentioned above as thrilled to finally see this blight addressed) or was it again the all powerful building community here ? As it stands, only one answer comes to mind and it casts a big shadow in this decision and those who approved its change.

□Comment by **mattersnot1** @ 23:16 - Wednesday, June 25th, 2008

Stacey, The URL you provided won't open and I am told it doesn't exist.

I've researched through my paid legal programs and find no case law with the parties you listed.

Please double check and make sure all spellings are correct, although, I checked all case law for City of Redmond back into the 50s and found nothing even close.

I also researched by subject matter and still nothing.


Are you sure this is an Appeals Court case?

Comment by **S_Emerson** @ 23:31 - Wednesday, June 25th, 2008 

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mattersnot - just google "Ballen v. City of Redmond". You'll get a long list of results.

Oh, and I checked the link (<http://tinyurl.com/6c2seu>) and it works for me. It leads to a page with a link that says "Proceed to this site". I'm curious to know if it works, if you wouldn't mind trying again.

Comment by **S_Emerson** @ 23:34 - Wednesday, June 25th, 2008 

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mattersrsnot - another oh...

US Court of Appeals for the Ninth Circuit - October 20, 2006 (No. 04-35606)

Comment by **mattersnot1** @ 12:57 - Thursday, June 26th, 2008

Thanks Stacey.

I've been researching State Case Law.

I'll pull up the case and let you know what I think.

While you're at it. Check our State Constitution, Art I, section 5 (Freedom of Speech). This is what the rulings in the Collier and Mighty Movers are based on.

Comment by **S_Emerson** @ 00:17 - Friday, June 27th, 2008 

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mattersnot - thank you. I'm anxious for your opinion :)