



PLANNING COMMISSION STAFF REPORT

PC MEETING DATE: APRIL 26, 2010

ITEM FOR PLANNING COMMISSION CONSIDERATION:
Public hearing to amend the sign ordinance to be consistent with state law.

I. RECOMMENDED ACTION:
Conduct and close a public hearing and by motion: Recommend approval of the attached ordinance amendment to Richfield City Code Subsection 549.21 Subd. 8 related to non-commercial speech.

II. BACKGROUND

In 2010 the Minnesota State Legislature amended state statutes to provide that state and municipal primary elections be held on the second Tuesday in August. This change allows additional time to send absentee ballots to uniformed and overseas citizens to vote. The state statute previously stated that any non-commercial signs of any size may be posted from August 1 in a general election year until 10 days following that state election. Due to the change of the state primary election date the new law states; all non-commercial signs of any size may be posted in a general election year from a date that is 46 days prior to the state primary election until 10 days following the state general election.

III. BASIS OF RECOMMENDATION

A. POLICY

- State law establishes the date on which election signs may be posted.

B. CRITICAL ISSUES

- The City Code needs to be consistent with state law as a result of legislation enacted in 2010.

C. FINANCIAL

- N/A

D. LEGAL

- Need to be consistent with state law.

IV. ALTERNATIVE RECOMMENDATION(S)

- N/A

V. ATTACHMENTS

- Ordinance

VI. PRINCIPAL PARTIES EXPECTED AT MEETING

- N/A

BILL NO. _____

AMENDMENT TO RICHFIELD CITY CODE

**AN ORDINANCE RELATING TO NONCOMMERCIAL SIGNS;
CONFORMING CITY ORDINANCES TO STATE LAW;
AMENDING SUBSECTION 549.21, SUBDIVISION 8 OF THE
RICHFIELD CITY CODE**

THE CITY OF RICHFIELD DOES ORDAIN:

Section 1. Subsection 549.21, Subdivision 8 of the Richfield City Code is amended to read as follows:

Subd. 8. Non-commercial speech. Any non-commercial message may be substituted for any commercial message on any sign allowed under this Code, subject to the same regulations applicable to such signs. Notwithstanding any provisions of this section to the contrary, all noncommercial signs of any size may be posted ~~from August 4~~ in a general election year from a date that is 46 days prior to the state primary election until 10 days following the state general election.

Sec. 2. This ordinance is effective in accordance with Section 3.09 of the Richfield City Charter.

Passed by the City Council of the City of Richfield, Minnesota this 25th day of May 2010.

Debbie Goettel, Mayor

ATTEST:

Nancy Gibbs, City Clerk