

Lake Tahoe Taxpayers Association
John Messina, Director
P O. Box 7115
South Lake Tahoe, CA 96158
(530) 307-1848
TahoeTaxpayer@gmail.com



TahoeTaxpayer.com

Susan Blankenship
South Lake Tahoe City Clerk

RE: South Lake Tahoe Political Sign Ordinance

August 16, 2024

The issue at hand is the South Lake Tahoe City Code restrictions on “Political Signs” being more restrictive than those for “Commercial Signs”.

Because ordinances permit commercial freestanding signs with area not exceeding 32 square feet (4×8 feet) without a permit, the same limitations should apply to political signs.

I believe that that South Lake Tahoe’s restrictions are unconstitutional and therefore unenforceable.

The Supreme Court has recognized that laws restricting or compelling speech based on its content have the potential to expel certain ideas or viewpoints from public debate. The Court typically regards such “content-based laws” as “presumptively unconstitutional.” *Reed v. Town of Gilbert*, 576 U.S. 155, 163 (2015). Jan 10, 2023

SUPREME COURT RULINGS

Free Speech: When and Why Content-Based Laws Are Presumptively Unconstitutional
<https://crsreports.congress.gov/product/pdf/IF/IF12308>

Supreme Court rules on political speech and the First Amendment

https://constitutioncenter.org/blog/supreme-court-rules-on-political-speech-and-the-first-amendment?gad_source=1&gclid=CjwKCAjw8fu1BhBsEiwAwDrjsjEf94tBSFXK mz_Ad0PG2R2X1FRGOBz8Kjw-UGOU-LUej6Z4EHP4abhoCM80QAvD_BwE

SOUTH LAKE TAHOE “POLITICAL SIGNS” RESTRICTIONS

[Temporary-Signs-Elections \(cityofslt.us\)](https://www.cityofslt.us/Temporary-Signs-Elections)

Required form to be completed by any candidate running for public office prior to placement of temporary signs within the City of South Lake Tahoe. Regulations regarding temporary signs: City of South Lake Tahoe City Code - Section 6.40.1080 (D): D. Temporary signs located on private property not greater than 12 square feet in area, not internally illuminated, and not displayed for more than 30 days in a calendar year, except that for 60 days preceding a general or special election more than one such sign may be placed on each parcel, provided they are removed immediately after the election. Any sign larger than the limits described shall be counted as either freestanding or building sign area as appropriate.

COMMERCIAL SIGNS

[Chapter 6.40 SIGNS AND ADVERTISING STRUCTURES \(codepublishing.com\)](https://www.codepublishing.com/CA/Chapter6/Chapter6.40.html)

6.40.080 Signs and activities not requiring permits.

The following types of signs and activities are exempt from permit requirements but shall be in conformance with all other standards of this chapter:

2. Commercial.

- a. One sign per premises unless the property has both a front and rear street frontage, in which case, two signs are permitted;
- b. The standards for all signs shall be:
 - i. If freestanding, the sign area shall not exceed 32 square feet; shall not exceed six feet in height. The sign or its supports shall be a minimum of five feet from all property lines and shall not encroach into a clear view area. Said sign may be double-faced;
 - ii. If a wall sign, the area shall not exceed 32 square feet;
 - iii. Shall conform to the design standards contained in SLTCC [6.40.340](#) and [6.40.350](#); and
 - iv. Shall not be illuminated.
- c. The sign shall be removed at the conclusion of the activity.

[California Code, CIV 713](#)

CALIFORNIA LAW

Civil Code - CIV

DIVISION 2. PROPERTY [654 - 1422]

(Heading of Division 2 amended by Stats. 1988, Ch. 160, Sec. 13.)

PART 1. PROPERTY IN GENERAL [654 – 749]

(Part 1 enacted 1872.)

TITLE 2. OWNERSHIP [669 - 742]

(Title 2 enacted 1872.)

CHAPTER 2. Modifications of Ownership [678 - 726]

(Chapter 2 enacted 1872.)

ARTICLE 2. Conditions of Ownership [707 - 714.7]

(Article 2 enacted 1872.)

713.

(a) Notwithstanding any provision of any ordinance, an owner of real property or his or her agent may display or have displayed on the owner's real property, and on real property owned by others with their consent, signs which are reasonably located, in plain view of the public, are of reasonable dimensions and design, and do not adversely affect public safety, including traffic safety, as determined by the city, county, or city and county, advertising the following:

(Amended by Stats. 1992, Ch. 773, Sec. 3. Effective January 1, 1993.)

Respectfully yours,

John Messina