

FW: Fw: Campaign Billboards

CampaignGuidance <SJElections@sanjoseca.gov>

Fri 8/25/2023 12:53 PM

To:Boards and Commissions Support <commissions@sanjoseca.gov>

From: CampaignGuidance <SJElections@sanjoseca.gov>**Sent:** Friday, August 4, 2023 3:04 PM**To:** 'Cheryl' <[REDACTED]>; Elections <elections@sanjoseca.gov>**Cc:** CampaignGuidance <SJElections@sanjoseca.gov>; Taber, Toni <toni.taber@sanjoseca.gov>**Subject:** RE: Fw: Campaign Billboards

Good afternoon, Cheryl:

Election signs are regulated under Part 8 of Chapter 23.04 of Title 23. Under Section 23.04.760, election signs are subject to certain display time limits. Election signs may be displayed in connection with an election beginning on the first day after the opening of the nomination period, and removed within ten days after the date of the election(s) to which they pertain. For election signs pertaining to the upcoming March 5, 2024 election, signs may be displayed from November 14, 2023 until March 15, 2024. Should there be a run-off municipal election on November 5, 2024, elections signs must be removed by November 15, 2024.

Under Section 23.04.710, "election signs" are not defined to include billboards but billboards are regulated as signs under Title 23 of the San Jose Municipal Code. Billboards that meet the regulation requirements of Title 23 may display campaign ads and are not subject to the display time limits for election signs under Section 23.04.760.

Please let me know if you have any additional questions.

Office of the City Attorney, Campaign Guidance

City of San José

200 East Santa Clara Street, 16th Floor Tower

San Jose, CA 95113

Office No: (408) 535-1900

Fax No: (408) 998-3131

SJElections@sanjoseca.gov

<http://www.sanjoseca.gov/index.aspx?NID=4796>

From: Cheryl <[REDACTED]>**Sent:** Friday, July 28, 2023 12:10 PM**To:** Elections <elections@sanjoseca.gov>**Cc:** CampaignGuidance <SJElections@sanjoseca.gov>; C C <[REDACTED]>; Taber, Toni <toni.taber@sanjoseca.gov>**Subject:** Re: Fw: Campaign Billboards

[External Email]

Hello City Attorney's office,

When can I expect a reply about the billboard?

Please see below emails for a reminder of the question.

Thank you,
Cheryl

On Mon, Jul 24, 2023, 3:41 PM Elections <elections@sanjoseca.gov> wrote:

Good afternoon Cheryl,

I have forwarded your email to the City Attorney's office for response.

Thank you,
Grace Turner

Elections

City of San José | Office of the City Clerk
200 East Santa Clara St. – Tower 14th Fl.
San José, CA 95113-1905
Phone 408.535.1260 | Fax 408.292.6207
elections@sanjoseca.gov

Election Information: <http://www.sanjoseca.gov/index.aspx?NID=446>

Board of Fair Campaign and Political Practices: <http://www.sanjoseca.gov/index.aspx?nid=452>

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From: Cheryl <[REDACTED]>
Sent: Monday, July 24, 2023 10:22 PM
To: Elections <elections@sanjoseca.gov>; Taber, Toni <toni.taber@sanjoseca.gov>; C C <[REDACTED]>
Subject: Campaign Billboards

[External Email]

Dear Elections Team,

During past elections, I've seen that campaign ads have been placed on permitted billboards on private property, next to the freeway, more than 90 days before an election.

My understanding is that it is permissible to have these billboard campaign ads up more than 90 days before an election in San Jose.

And San Jose's sign code does NOT regulate campaign ads on permitted billboards on private property.

Will you please confirm that this is true?

FYI: State of California DOT has already confirmed that they only regulate temporary signs that are visible from the freeway. But they do NOT regulate campaign ads on permitted billboards that are visible from the freeway.

Thank you,
Cheryl

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