ORDINANCE NO. 21-11

AN ORDINANCE OF THE CITY OF INGLEWOOD, CALIFORNIA
AMENDING CHAPTER 10, ARTICLE 5 AND CHAPTER 12,
ARTICLE 23 OF THE MUNICIPAL CODE TO MODIFY SIGNAGE
REGULATIONS TO PERMIT CERTAIN BANNERS IN THE
PUBLIC RIGHT-OF-WAY

WHEREAS, in Members of City Council v. Taxpayers for Vincent (1984) 466
U.S. 789, the United States Supreme Court held that publically owned utility poles, such
as light poles, are not a traditional public forum for the public to use to communicate
their message, and as such, the City may prohibit the posting of signs to preserve
physical and aesthetic values; and

WHEREAS, if a City decides to adopt an ordinance or regulation allowing the
public to affix banners to utility poles, such ordinance or regulation must meet specific
legal standards, its restrictions must be reasonable and content neutral; and

WHEREAS, Inglewood Municipal Code Chapter 12, Article 23 prescribes the
City’s Sign Regulations; and

WHEREAS, the City’s Sign Regulations currently prohibit the public from
affixing any type of sign on light poles or any fixture or object located upon or in a
public street, sidewalk, walkway, boulevard or parkway maintained by the City, subject
to certain exceptions not relevant hereto; and

WHEREAS, the City desires to amend its Sign Regulations to provide limited
availability for non-profit organizations to apply for permits to utilize the City’s light
poles to advertise their events subject to the requirements of this ordinance and the
regulations promulgated hereunder; and

WHEREAS, the Public Works Department is responsible for the City’s public
right-of-way, and as such shall administer this temporary banner program; and

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WHEREAS, City shall not discriminate based on the content of the requested
banner, nor based on the nature of the event, provided that the requested banner meets
all of the requirements of this ordinance and the regulations promulgated hereunder
implementing this non-profit organization light pole banner program; and

WHEREAS, the City’s decision to allow non-profit organizations to apply for
permits to affix temporary banners to designated City-owned light poles located in the
public right-of-way is not intended to convert such light poles into a general public
forum; and

WHEREAS, this ordinance shall not be construed to limit the City’s inherent
authority to affix banners of City sponsored or City funded events on any of its light
poles; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF
INGLEWOOD, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. Inglewood Municipal Code section 10-45.1 is added to the
Municipal Code to read as follows:


(1) Temporary Banner Program. Subject to the criteria set forth in this
section, non-profit organizations may apply for permits from the Public Works
Department to affix temporary banners advertising their non-profit event on designated
light poles located in the public right-of-way along major arterial streets.

(2) Definitions.

“Non-profit organization” shall mean an organization that is organized and
operating in full compliance as a non-profit or charitable organization under the laws of
the State of California, or Internal Revenue Code sections 501(c)(3) or 501(c)(6).

“Non-profit event” shall mean an event or series of events sponsored by the non-
profit organization to be held in the City of Inglewood with a reasonably expected in-
person attendance of 500 or more people for a single event or 1,000 or more people for a
series of events. Expected attendance may be demonstrated by attendance at that same
or similar event or series of related events in previous years; by attendance projections
for an event or series of events based on sales of tickets or reservations to the event or
series of related events; or, for an event or series of events that is being organized for the
first time, by another reasonable measure of expected in-person attendance to be
determined by the Public Works Department. To be considered a non-profit event, the
non-profit organization must be involved in all aspects of the event including creative
direction, funding and fund development, marketing and media relations, and staffing
and support services.

“Series of events” shall mean related non-profit events recurring over a period of
time not to exceed 90 consecutive days. Examples may include a Summer Concert
Series, Winter Festival, etc.

(3) Administrative Guidelines.

The City Manager or her/his designee is authorized to adopt administrative
guidelines for this temporary banner program that are consistent with and further the
terms and requirements of this section.

(4) The Public Works Department shall not issue a permit to any non-profit
organization unless the organization complies with the terms and conditions set forth in
this section and the Administrative Guidelines promulgated hereunder. Permits may be
revoked by the Public Works Department in whole or in part on one or more of the
following grounds: (i) the maintenance of any temporary banner endangers public
welfare, safety or property; (ii) failure or refusal to observe any provision of this section
or any regulation promulgated pursuant to authority granted by this section; or (iii) a
material misrepresentation in the application. The Public Works Director or her/his
designee shall have the right to immediately remove or cause the immediate removal of
any banner that does not conform to the permit regulations promulgated hereunder.

(5) The failure to obtain a permit required by this section is unlawful per
Section 10-45.”
SECTION 2. Inglewood Municipal Code Section 12-83 is amended to read as follows:

"Section 12-83. Signs. Public Places and Objects.

(a) Except for signs approved as part of a Master Sign Plan in connection with a Sign Overlay Zone as set forth in Article 17.3 of Chapter 12 of the IMC or a temporary banner program under subdivision (c) below, no person shall paint, mark or write on, or post or otherwise affix, any handbill or sign to or upon any sidewalk, crosswalk, curb, curbstone, street lamp post, hydrant, tree, shrub, tree stake or guard, railroad signs, posts or poles, electric light or power or telephone or telegraph pole, or wire appurtenance or support thereof, or upon any fixture of a fire or police communications system, or upon any lighting or electrical power system, public bridge, drinking fountain, street sign or traffic sign, bus or parkway bench, bus shelters, sidewalk kiosks, fixture or object located upon or in a public street, sidewalk, walkway, boulevard or parkway maintained by the City, or any property of a public utility maintaining such property or improvements under easements granted by the City except as permitted by Section 12-77.11 of this Chapter.

(b) Any handbill or sign found posted or otherwise affixed upon any public property contrary to the provisions of this Section may be removed by the Police Department, the Departments of Parks, or Public Works, Code Enforcement, or other concerned observer. The person responsible for such illegal posting shall be liable for the costs incurred in the removal thereof and the Finance Department is authorized to effect the collection of said costs.

(c) Notwithstanding any language in this Code to the contrary, the Public Works Department may establish a temporary banner program utilizing light poles located in the public right-of-way subject to the criteria set forth in Chapter 10, Article 5 of this Code.

SECTION 3. SEVERABILITY. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person
or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or
unenforceability shall not affect the validity or enforceability of the remaining sections,
subsections, subdivisions, paragraphs, sentences, clauses or paragraphs of this
ordinance, or its application to any person or circumstance. The City of Inglewood
hereby declares that it would have adopted each section, subsection, subdivision,
paragraph, sentence, clause and paragraph hereof, irrespective of the fact that any one or
more of the foregoing sections, subsections, subdivisions, paragraphs, sentences, clauses
or phrases hereof be declared invalid or unenforceable.

SECTION 4. The City Clerk shall certify to the approval, passage and adoption
of this Ordinance by the City Council and shall cause the same to be published in
accordance with the City Charter; and thirty days from the final passage and adoption,
this Ordinance shall be in full force and effect.

PASSED, APPROVED AND ADOPTED this 3rd day of
August, 2021.

James T. Butts, Jr., Mayor

ATTEST:

Aisha L. Thompson, City Clerk
STATE OF CALIFORNIA                 
COUNTY OF LOS ANGELES)            SS.
CITY OF INGLEWOOD                 

I, AISHA L. THOMPSON, City Clerk of the City of Inglewood, California do hereby certify that the whole number of members of the CITY COUNCIL of said city is five; that the foregoing ordinance being Ordinance No. 21-11 is the full, true and correct original of Ordinance No. 21-11 of the said City of Inglewood, California entitled;

AN ORDINANCE OF THE CITY OF INGLEWOOD, CALIFORNIA AMENDING CHAPTER 10, ARTICLE 5 AND CHAPTER 12, ARTICLE 23 OF THE MUNICIPAL CODE TO MODIFY SIGNAGE REGULATIONS TO PERMIT CERTAIN BANNERS IN THE PUBLIC RIGHT-OF-WAY

which was duly passed and adopted by the said City Council, approved and signed by the Mayor of said city, and attested by the City Clerk of said City, all at a meeting of said Council held on the 3rd day of August, 2021 and that the same was so passed and adopted by the following vote:

Ayes: Council Members, Dotson, Padilla, Morales, Faulk and Mayor Butts, Jr.; and

Noes: None.

WITNESS my hand and the seal of said City the 5th day of August, 2021.

(SEAL)

City Clerk of the City of Inglewood