


**SEATTLE DEPARTMENT OF TRANSPORTATION
DIRECTOR'S RULE 02-02**

<p>Subject: Posting of temporary signs on City owned utility poles, lampposts, and traffic signposts in planting strips. Definitions, objectives regulations.</p>	<p>Page 1 of 3</p> <p>Publication: September 26, 2002</p> <p>Effective: January 9, 2003</p>
<p>Type of Rule: Interpretive</p>	<p>Ordinance Authority: SMC ch. 3.02 and 3.12.020 and Ordinance 121038</p>
<p>Code and Section Reference: SMC 15.48.100 as amended by Ordinance 121038</p>	<p>Approved  SDOT: January 9, 2003</p>

1.0 REFERENCES

- 1.1 City of Seattle v. Mighty Movers, 51 P.3d 152 (2002)
- 1.2 SMC 11.14.475; .645; .650; .655 (Traffic Code definitions)
- 1.3 11.50.500 -.560 (Traffic sign regulations)
- 1.4 SMC 15.48.100; .110; .120 (Unlawful posting of signs and removal)
- 1.5 SMC 15.38.010, 040 (Seizure procedure)
- 1.6 SMC 23.55.003 and 23.55.012C (Prohibited signs and Temporary signs in planting strips)
- 1.7 SMC 23.84.036 (Sign definition)
- 1.8 SMC 15.04.074; Ordinance 120993 (cost recovery: items 57 & 58)
- 1.9 RCW 46.61.160 (Authority to prohibit pedestrians on limited access highways)

2.0 DEFINITIONS

The following definitions apply to this Director's Rule:

- 2.1 **Planting Strips.** The portion of the street lying between the constructed curb and sidewalk of any city street under the control of the Director of the Seattle Department of Transportation, and excluding state owned right of way.
- 2.2 **Sign.** A medium used or intended to be used to attract attention to the subject matter for advertising, identification or informative purposes.
- 2.3 **Streetlight Poles.** Poles located in the planting strip and owned by the City of Seattle to support streetlights.
- 2.4 **Traffic control signs.** Signs located in the planting strip and owned by the City of Seattle for the purpose of regulating, warning, or guiding traffic, pedestrians, bicycles, etc. see SMC 11.14.645 and .650.
- 2.5 **Traffic control sign posts.** The posts located in the planting strip and used exclusively for the purpose of supporting traffic control signs.
- 2.6 **Traffic control signal poles.** Poles located in the planting strip to support traffic control signals as defined in SMC 11.14.655.
- 2.7 **Utility Pole.** Poles located in the planting strip and owned by the City of Seattle and used to support power lines, or trolley wires.
- 2.8 **Pedestrian Exclusion Zone.** Areas, such as freeway on-ramps, freeways, and structures without sidewalks where pedestrians are prohibited.

3.0 OBJECTIVES

Establish rules to facilitate and regulate the posting of temporary signs on public property that is a traditional public forum for free speech rights. The rules are intended to promote safe working conditions for utility workers, traffic safety, preservation of City property, fire safety, and access to public forums. It is further intended to ensure that the proliferation of temporary signs, including those with outdated messages and signs in poor condition, do not contribute to visual blight.

4.0 Regulations

4.1 Posting signs. *Except as provided by this rule or by permit*, no person, except for the City of Seattle, shall place any handbill, poster, or sign on utility poles, streetlight poles, traffic control sign posts or traffic control signal poles.

4.2 Permits. No permits or permit fees will be required for signs posted in accordance with this rule.

4.3 Poles and posts where signs are allowed.

4.3.1 Signs may be placed only on utility poles, streetlight poles, traffic control sign posts, and traffic control signal poles that are in the planting strip and that are not on state owned right of way.

4.3.2 No sign shall be placed on the back of stop or yield signs or on traffic control sign posts that support stop signs or yield signs.

4.3.3 No sign shall be placed on utility poles, streetlight poles, traffic control sign posts and traffic control signal poles that are in the median or island of any street.

4.3.4 No sign shall be placed on utility poles, streetlight poles, traffic control sign posts and traffic control signal poles that are in the pedestrian exclusion zone of any freeway ramp marked for limited access.

4.3.5 No sign shall be placed on other property or structures owned by the City or on other property or structures located on City property or right of way by permit, other than on sign kiosks as allowed under SMC 23.55.015, including, but not limited to: street trees, landscape shrubs, street furniture, bus shelters, bus schedule structures, art, bicycle racks, neighborhood identification signs or sign posts, clocks, traffic signal controller boxes, or cabinets for electrical devices.

4.4 Sign size.

4.4.1 Signs placed on utility poles, streetlight poles, traffic control sign posts and traffic control signal poles shall not exceed 24 inches vertical height and shall not be posted in a manner that creates the appearance of a sign larger than 24 inches in vertical height.

4.4.2 Signs placed on traffic control sign posts shall not exceed 18 inches horizontal and must be centered on the post. Temporary signs on traffic control sign posts cannot be wrapped around the post.

4.4.3 Signs placed on utility poles, streetlight poles, and traffic control signal poles shall not protrude more than 6 inches on either side of the pole or lamppost but may wrap around the pole or lamppost, but only if a sign that is wrapped does not conflict with the provisions of section 4.5 below.

4.4.4 The design of any sign shall not be likely to be mistaken for a traffic control device and shall comply with SMC Sections 11.50.500 through 11.50.560.

- 4.5 Sign location on poles.
- 4.5.1 The top of the sign shall be no higher than 7 feet above the ground.
 - 4.5.2 Signs shall not cover permanent signs or signs erected by permit.
 - 4.5.3 Signs shall not face the same direction as any traffic control sign on the same pole or post.
- 4.6 Sign attachment methods. Signs must be attached to poles and posts with tape, string, staples sized at or smaller than 0.050 gauge, 3/8" (9.5mm) long, or by other methods that do not diminish worker safety and that allow signs to be easily removed when their display period has ended. Attachment methods not allowed include nails, staples larger than 0.050 gauge, 3/8" long, and glue.
- 4.7 Signs over signs. Signs shall not be placed on top of each other. The limit is one sign thick on poles and posts.
- 4.8 Sign materials. Signs shall be made of thin, easily bendable paper, cardboard, or plastic that climbing spurs can easily penetrate. Metal or wood signs are not allowed.
- 4.9 The following types of signs are prohibited: flashing signs; signs that have any rotating part; wind animated objects; lights; video display.
- 4.10 Dates. Signs shall bear the date of posting on the lower left-hand corner in printing no smaller than 18-point type or type ¼ high.
- 4.11 Period of display. A sign may be displayed for a maximum of 30 days or until the date of the event it advertises, if any, has passed, whichever comes first.
- 4.12 Removal Process. A sign that is in place after the expiration of the period of display authorized above is considered litter. The person or organization posting the sign is responsible for removing signs when the display period has expired. City forces may remove signs as litter any time after the authorized display period ends. If a sign remains posted more than 10 days after the authorized display period ends and it is subsequently removed by the City, the cost of labor and disposal will be charged to the person or organization posting the sign to the extent allowed by law. The City may remove signs posted in violation of the regulations of this Director's Rule and will charge the person or organization posting the sign the cost of labor and disposal to the extent allowed by law.
- 4.13 Decision Review or Reconsideration. A person aggrieved by the determination of the cost for removal of a handbill, sign, or poster pursuant to SMC Section 15.48.120 may timely request a review or reconsideration by the Seattle Department of Transportation by filing a request with the Director within ten (10) days of the date of the decision. The request shall identify the decision for which the review or reconsideration is requested, the objection(s) to the decision, and the specific alternative being proposed. The Director shall designate a review officer, who shall make a recommendation to the Director. The Director may, at his or her discretion, stay the implementation of the decision pending a review or reconsideration. The Director's decision on review or reconsideration shall be final.