



## **CITY OF HOBBS**

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November 21, 2017

### **MEMORANDUM**

TO: ALL CANDIDATES

FROM: RAYMOND BONILLA, COMMUNITY SERVICES DIRECTOR  
TODD RANDALL, CITY ENGINEER  
MIKE STONE, CITY ATTORNEY

RE: **PLACEMENT OF ELECTION SIGNS WITHIN THE CITY OF HOBBS**

This letter is to acquaint all candidates of the City of Hobbs policy with regard to placement of election signs for upcoming elections and sign ordinance (MC15.32).

All signs are required to be placed on private property. It is recommended that permission be obtained from the private property owner prior to placement of election signs at private locations. A sign permit is not required by the City of Hobbs for temporary signs, which includes political / election signs.

**Chapter 15.32 of the Municipal Code** does not allow any type of election signs or banners to be placed on public property or within public street or alley rights-of way. The distances from the back of curb of a City street to the outside edge of the right-of-way line vary from nine and a half (9.5) to forty (40) feet. Please contact the Engineering Department to verify the right-of-way line location before you place any signs along City streets.

If signs are found to be in the City right-of-way, the candidate will be notified and will be allowed 24 hours to relocate the sign to a proper location. Signs remaining in the right-of-way after the 24 hour notice will be removed by City employees and delivered to the Street Department Yard for retrieval by the candidate within 30 days; if not retrieved within 30 days, the signs will be disposed of as abandoned property.

Thank you for your help with this matter. Please contact me if you have any questions or need any further information. We will be happy to help you in any way we can.

### 15.32.070 - Exempted Signs and Portable Signs.

The following signs shall not require a sign permit. These exemptions shall not be construed as relieving the sign permittee, owner of the sign and owner or lessee of the property upon which the sign and structure is located from the sole responsibility for its erection and maintenance, and its compliance with the provisions of this chapter or any other law or ordinance regulating same.

- A. Painting, repainting, maintenance or cleaning of an advertising structure thereon shall not be considered an erection or alteration;
- B. Temporary signs, including political, construction and real estate signs as defined;
- C. Temporary banner signs may be used; provided, however, that such use satisfies all other parts of this chapter applicable thereto and the requirements of all other ordinances. Banner signs shall not be installed for more than sixty (60) days. The owner/contractor shall not install, support, or anchor the banner to any City or utility owned poles, prior to obtaining a written consent from the City Manager or his or her designated representative.

Portable signs shall be permitted by the Building Official. Portable signs are intended to be displayed for a short period of time only. Portable signs shall not be installed for more than a sixty (60) day period at any one location. A single location is allowed to contain a single portable sign for a sixty (60) day period; thereafter the location shall not contain a portable sign for a thirty (30) day period. A portable sign shall be located a minimum of five (5) feet from the property line or fifteen (15) feet from the street curb or pavement edge or as directed by the Engineering Department to minimize visibility hindrances. All portable signs containing electrical wiring shall be subject to the provisions of the National Electrical Code and all other applicable codes and the electrical components used shall bear the label of an approved testing agency. Sign design, material and construction shall comply with the provision of this Code. All portable signs shall be stabilized and anchored to the ground to restrict displacement by the wind or other accidental force. If the portable sign is used for a period of sixty (60) days or more than, it must be permitted as a permanent sign for the location and meet all provisions of this Code as such.

(Ord. 885 (part), 2001: prior code § 7-26)

([Ord. No. 1094](#), 4-18-2016)

### 15.32.080 - Abandoned signs.

A sign is considered abandoned when the business, event or purpose the sign advertises no longer applies, no longer in business or when the face of the sign no longer contains advertising material and remains in such condition for a period of six (6) months and is constituting a hazard to life, safety and/or property. The Building Official shall issue a written notice to the sign or property owner, which notice shall state that



such sign shall be removed or repaired within thirty (30) days. If the property owner fails to comply with such notice to the Building Official is authorized to cause removal of such sign as defined under Section 15.32.100.

(Ord. 885 (part), 2001: prior code § 7-27)

([Ord. No. 1094](#), 4-18-2016)

#### 15.32.090 - Notice period.

The notice period for removal of temporary signs and portable signs is forty-eight (48) hours. The notice period for removal of abandoned signs is thirty (30) days. Property owners will receive a written notice stating that their property does not meet the standards set forth in this chapter. A second notice may result in the issuance of a citation. If the sign permittee or owner of the premises upon which the sign is located has not demonstrated to the satisfaction of the Building Official that the sign has been removed or brought into compliance with the provisions of this chapter by the end of the notice period, the Building Official shall certify the violation to the City Attorney for proper action.

(Ord. 885 (part), 2001: prior code § 7-28)

([Ord. No. 1094](#), 4-18-2016)

#### 15.32.100 - Removal of signs.

The Building Official is authorized to request removal of any illegal, nonconforming and abandoned sign as defined by this chapter.

Before requesting the removal of a sign, the Building Official shall give written notice to the sign owner or the owner of the premises on which such sign is located. The notice shall state the reasons and grounds for removal, specifying the deficiencies or defects in such sign with reasonable definiteness, and the violation charges. Such notice shall specify what repairs will make such an installation conform to the requirements of this chapter and specify that the sign must be removed or made to conform to the provisions of this chapter within the notice period provided herein. Service of notice may be made personally on the permittee and the property owner, or by certified mail addressed to the owner or permittee at the address specified in the permit or at such address as the owner or permittee may have given written notice or at the address shown on the property tax rolls.

(Ord. 885 (part), 2001: prior code § 7-29)

([Ord. No. 1094](#), 4-18-2016)

#### 15.32.110 - Expense of removal.

If the owner, occupant or agent fails to remove or repair the nonconforming sign as required by this code and the City is forced to remove or repair such structures. All the actual cost and expense, including court costs and attorney fees, of any such removal or repairs incurred by the City shall be borne by the owner, occupant, agent of such sign and the owner of the premises on which the sign is located, shall be liable therefore, and an action for recovery thereof may be brought by the City Attorney upon proper certification thereof to him or her by the Building Official. The City shall have a lien against the property upon which such sign or structure is located which may be perfected and foreclosed in the same manner as other municipal liens.

(Ord. 885 (part), 2001: prior code § 7-30)

([Ord. No. 1094](#), 4-18-2016)