

## RESOLUTION 2026-32

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEEDLES, CALIFORNIA, ADOPTING TEMPORARY NONCOMMERCIAL ELECTION SIGN PARAMETERS CONSISTENT WITH CALTRANS REQUIREMENTS AND INCORPORATING THE CITY'S EXISTING CORNER SIGHT-DISTANCE POLICY

**WHEREAS**, the City of Needles is a charter city with authority to regulate municipal affairs and to protect public health, safety, traffic visibility, property rights, and the orderly use of public and private property; and

**WHEREAS**, temporary signs concerning candidates and ballot measures are a traditional means of political expression, and the City Council desires to establish clear, uniform, and readily available administrative parameters for their placement and removal; and

**WHEREAS**, California Business and Professions Code section 5405.3 provides an exemption from certain requirements of the State Outdoor Advertising Act for a temporary political sign that encourages a particular vote in a scheduled election, is placed no sooner than ninety (90) days before the election and removed within ten (10) days after the election, is no larger than thirty-two (32) square feet, and is covered by a Statement of Responsibility filed with the California Department of Transportation (Caltrans); and

**WHEREAS**, Caltrans further advises that temporary political signs may not be placed within the right-of-way of any state highway or, where applicable, within six hundred sixty (660) feet of the edge of and visible from the right-of-way of a classified landscaped freeway, and that Caltrans may remove unauthorized signs and bill the responsible party for removal costs; and

**WHEREAS**, the City currently requires responsible-party information for temporary noncommercial election signs and uses a corner-placement diagram requiring a clear sight-distance triangle measured thirty (30) feet in both directions from the end of the curb radius; and

**WHEREAS**, Needles Municipal Code section 104.17.4 regulates prohibited signage, including signs placed in a public right-of-way or on public property without lawful authorization, signs placed without property-owner or tenant permission, and signs that obstruct access or visibility; and

**WHEREAS**, the City Council desires to consolidate the Caltrans parameters, require a copy of the same Caltrans Statement of Responsibility to be filed with the City Clerk, and incorporate the City's existing corner sight-distance policy into one administrative policy without amending or superseding the Needles Municipal Code or creating an independent authorization to place signs on public property or in a public right-of-way.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NEEDLES, CALIFORNIA, AS FOLLOWS:**

**SECTION 1. Recitals.** The foregoing recitals are true and correct and are incorporated into this Resolution by this reference.

**SECTION 2. Adoption of Policy.** The City Council hereby adopts the Temporary Noncommercial Election Sign Policy attached as Exhibit "A" and incorporated into this Resolution by this reference.

**SECTION 3. Incorporation of Existing City Corner-Placement Material.** The City's existing Political Sign Placement for Corners in the City of Needles diagram is attached as Exhibit "B" and incorporated into the Policy. The thirty-foot corner sight-distance standard shown on the diagram shall be applied to all temporary election signs located near street intersections, on property where such signs are otherwise lawfully permitted.

**SECTION 4. Administration.** A copy of the Department of Transportation Statement of Responsibility for Temporary Political Signs, DOT ODA-0027 (Rev. 04/2025), current as of adoption, is attached as Exhibit "C." The City Clerk is authorized and directed to distribute the Policy, receive copies of the same completed Caltrans Statement of Responsibility required under Section 3 of the Policy, and provide candidates, committees, and responsible parties with the then-current Caltrans form and filing instructions. No separate City Statement of Responsibility form shall be required. The City Clerk may update election-specific administrative instructions, City contact information, accessibility information, and formatting that does not alter the Caltrans form or the substantive standards adopted by this Resolution. Substantive changes require further Council approval.

**SECTION 5. Relationship to Municipal Code and Other Law.** This Resolution is administrative and declaratory. It does not amend the Needles Municipal Code, create a new sign permit or exemption, authorize a sign in any public right-of-way or on public property, or supersede any stricter requirement of federal, state, or local law. A sign must comply with the Needles Municipal Code and all other applicable requirements in addition to this Policy. Where a conflict exists, the stricter lawful standard shall control.

**SECTION 6. Enforcement.** The City may enforce the Needles Municipal Code and other applicable law against signs that are unlawfully placed, unsafe, obstructive, abandoned, or not timely removed. Removal, abatement, notice, administrative citation, and cost recovery shall occur only as authorized by the Needles Municipal Code or other applicable law. Nothing in this Resolution limits Caltrans authority under state law.

**SECTION 7. Severability.** If any provision of this Resolution or the Policy, or its application to any person or circumstance, is held invalid, the remainder of the Resolution and Policy and the application of the provision to other persons or circumstances shall not be affected.

**SECTION 8. Effective Date.** This Resolution shall take effect immediately upon adoption.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council, City of Needles, this 28th day of July 2026.

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Janet Jernigan, Mayor

ATTEST: \_\_\_\_\_  
Candace Clark, City Clerk

APPROVED AS TO FORM: \_\_\_\_\_  
City Attorney

**EXHIBIT "A"**  
**TEMPORARY NONCOMMERCIAL ELECTION SIGN POLICY**

1. **Purpose and Scope.** This Policy establishes uniform administrative parameters for temporary noncommercial signs that encourage a particular vote concerning a candidate, office, proposition, measure, recall, or other matter appearing at a scheduled election. The Policy applies Citywide to signs located on property where such signs are otherwise lawfully permitted. It does not authorize placement on public property or in a public right-of-way.
2. **Terminology.** For purposes of this Policy, a "temporary noncommercial election sign" includes a "temporary political sign" as that term is used in California Business and Professions Code section 5405.3. The terminology is intended to describe the temporary election-related use of a sign and shall not be interpreted to favor or disfavor any viewpoint, candidate, measure, or message.
3. **Caltrans and State Parameters.** To qualify for the temporary-political-sign exemption described in California Business and Professions Code section 5405.3, the sign and responsible party shall satisfy the following state parameters:
  - A. The sign encourages a particular vote in a scheduled election.
  - B. The sign is placed no sooner than ninety (90) days before the scheduled election and is removed within ten (10) days after that election.
  - C. The sign is no larger than thirty-two (32) square feet. This is a maximum for purposes of the state exemption and is not a local entitlement to a sign of that size; all smaller local size limits, permit requirements, and other standards remain applicable.
  - D. The then-current Caltrans Statement of Responsibility is completed and filed directly with Caltrans, identifying the person responsible for removal. A copy of the same completed form shall also be filed with the City Clerk as provided in Section 4. A copy of the form current as of adoption is attached as Exhibit "C" for reference.
  - E. The sign is not placed within the right-of-way of any state highway.
  - F. Where applicable, the sign is not placed within six hundred sixty (660) feet of the edge of and visible from the right-of-way of a classified landscaped freeway.
4. **Filing Copy with City Clerk.** Before placing temporary noncommercial election signs within the City, the candidate, committee, campaign, measure proponent or opponent, or other responsible party shall file with the City Clerk a copy of the same completed Caltrans Statement of Responsibility required by Section 3.D. No separate City Statement of Responsibility form is required. The responsible person identified on the form shall accept responsibility for compliance and timely removal. Acceptance of the copy by the City Clerk is ministerial and does not constitute a permit, approval of any location, or a representation that a sign complies with law.
5. **Lawful Placement and Property Permission.** A temporary noncommercial election sign may be placed only where allowed by the Needles Municipal Code and other applicable law and only with the permission of the property owner or lawful occupant. A sign may not be placed on City property or in a City right-of-way except pursuant to express lawful authorization, and may not be attached to a tree, utility pole, traffic-control sign or device, public fence, public structure, or other object on publicly owned land.
6. **Corner Sight-Distance Area.** At each street corner, the area shown on the City's adopted corner-placement diagram shall remain clear of temporary election signs. Beginning at the end of the curb radius, thirty (30) feet shall be measured along each intersecting street frontage, and a straight line shall be drawn between the two measured points. No temporary election sign shall be placed within the resulting triangular area. At a corner without a conventional curb radius, or where unusual conditions exist, the equivalent clear sight area shall be determined by the City Engineer, Public Works Director, or designee. A larger clear area shall be maintained when required for traffic safety or by other law.
7. **Additional Safety Standards.** No sign may obstruct or interfere with a sidewalk, accessible route, driveway, alley, bicycle path, doorway, fire hydrant, emergency access, traffic sign or signal,

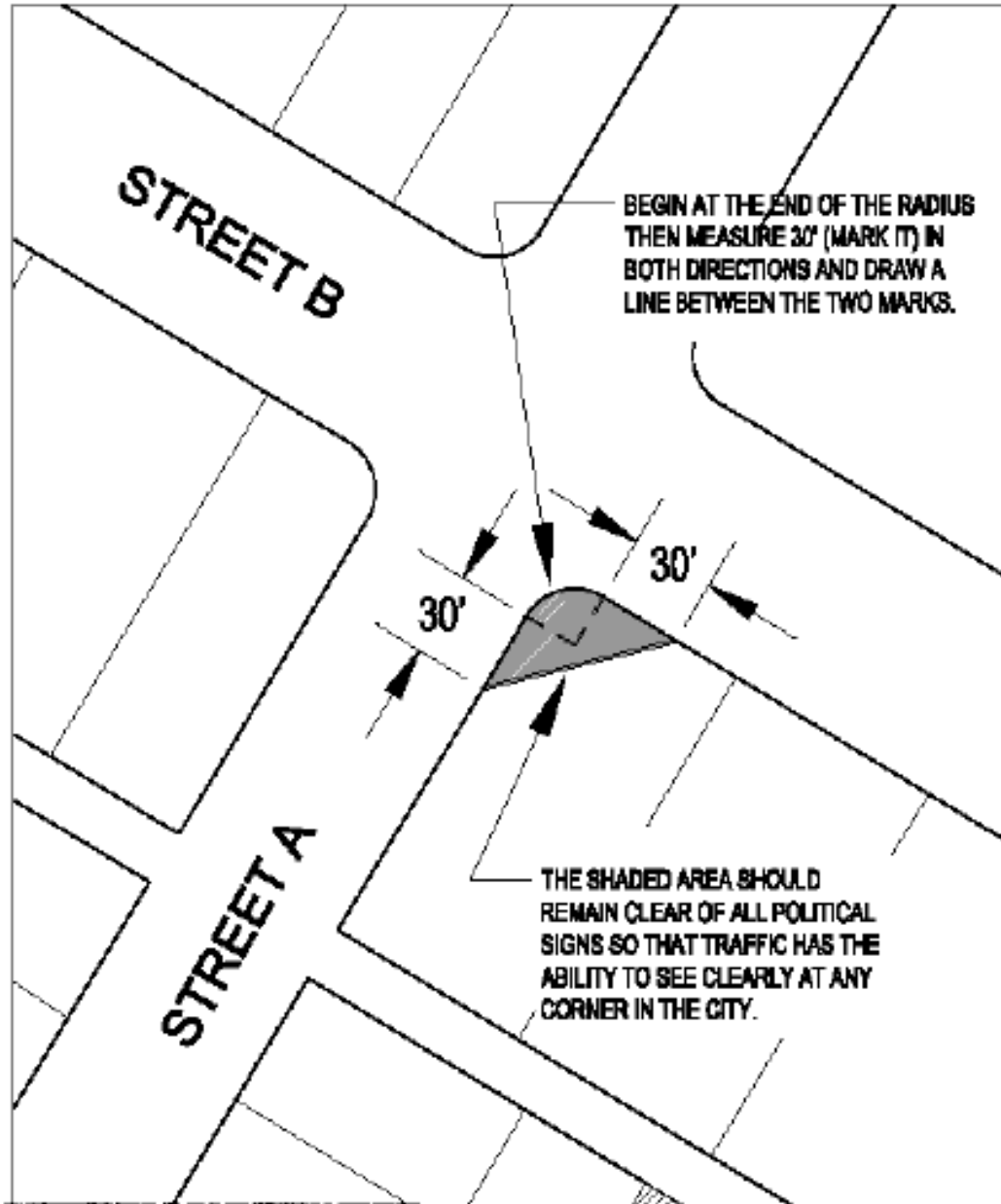
streetlight, utility access, or the clear view of motorists, bicyclists, or pedestrians. Signs shall be securely installed and maintained so they do not create a hazard, become windblown debris, or impair visibility.

8. **Maintenance.** The responsible party shall keep each sign in a safe, legible, and well-maintained condition. Damaged, detached, leaning, or hazardous signs shall be promptly repaired or removed. The responsible party remains accountable for signs placed by campaign workers, volunteers, vendors, supporters, or other persons acting on behalf of the candidate, committee, or campaign.
9. **Removal.** All temporary noncommercial election signs shall be removed no later than ten (10) days after the applicable election, or earlier when required by the Needles Municipal Code, the property owner, Caltrans, or other applicable law. The responsible party shall remove all sign panels, posts, stakes, wire frames, fasteners, and related materials and restore the site to a clean and safe condition.
10. **Unauthorized or Noncompliant Signs.** A sign placed in violation of the Needles Municipal Code or other applicable law may be subject to notice, removal, abatement, administrative citation, or cost recovery as authorized by law. Caltrans may remove unauthorized temporary political signs within its jurisdiction and may bill the responsible party for associated removal costs. Nothing in this Policy limits the authority of a property owner to remove a sign placed without permission.
11. **Current Caltrans Form Controls.** The Department of Transportation Statement of Responsibility for Temporary Political Signs, DOT ODA-0027 (Rev. 04/2025), current as of adoption, is attached as Exhibit "C." Because Caltrans may revise its form, address, email, instructions, or administrative procedures, the responsible party shall use and follow the then-current Caltrans Statement of Responsibility and instructions for both the Caltrans filing and the copy filed with the City Clerk. The City Clerk may provide the current form and filing instructions as a courtesy, but the responsible party remains responsible for filing the form correctly and timely with Caltrans.

**EXHIBIT "B"**

**CITY OF NEEDLES EXISTING CORNER SIGN-PLACEMENT DIAGRAM**

**POLITICAL SIGN PLACEMENT  
FOR CORNERS IN THE CITY OF NEEDLES**



**EXHIBIT "C"**  
**DEPARTMENT OF TRANSPORTATION STATEMENT OF RESPONSIBILITY FORM**  
**DOT ODA-0027 (REV. 04/2025)**

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

**STATEMENT OF RESPONSIBILITY  
FOR TEMPORARY POLITICAL SIGNS**

DOT ODA-0027 (REV 04/2025)

Election Date: March \_\_\_\_\_ November \_\_\_\_\_ Other: \_\_\_\_\_

Candidate's Name: \_\_\_\_\_

Office sought or Proposition Number: \_\_\_\_\_

County where sign(s) will be placed: \_\_\_\_\_

Number of signs to be placed: \_\_\_\_\_

**RESPONSIBLE PARTY:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number (Include Area Code): \_\_\_\_\_

Email (Optional): \_\_\_\_\_

The undersigned hereby accepts responsibility for the removal of Temporary Political Signs placed pursuant to Section 5405.3 of the Outdoor Advertising Act for the above candidate or proposition.

It is understood and agreed that any Temporary Political Signs placed sooner than ninety (90) days prior to the election and/or not removed within ten (10) days after the election, may be removed by the Department and the responsible party will be billed for any associated removal costs.

I agree that by providing my electronic signature for this form, I agree to conduct business transactions by electronic means and that my electronic signature is the legal binding equivalent to my handwritten signature. I hereby agree that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

\_\_\_\_\_  
Signature of Responsible Party

\_\_\_\_\_  
Date

**Mail Statement of Responsibility to:**

Department of Transportation  
Division of Traffic Operations  
Outdoor Advertising Program  
P.O. Box 942873, MS-36  
Sacramento, CA 94273-0001

**Email: ODA@dot.ca.gov**