

August 31, 2023

Sign Ordinance Committee

Dear Committee Members:

I was unable to physically attend yesterday's meeting because I was at a relative's funeral in Winters. I tried to attend via zoom but was unsuccessful. I could see everyone and could hear the discussion but could not participate because I was muted. I tried "unmuting" the microphone but the zoom app kept saying the host would not permit it. My son, who regularly uses zoom for work, tried to unmute the microphone but he was unsuccessful. Apparently, there wasn't anything I could do at my end. I appreciate I was asked to offer comments via cellphone at the end but by then, I had lost the video connection. Most importantly, the moment for commenting on or opposing views had passed. Consequently, I voted against the motion because I felt important views had not been fully considered. In this vein, I offer a dissenting minority comment.

The ordinance should include a suggested theme and design for business signs. For example, Kingsburg has a general theme for signs which adds to the city's aesthetic ambiance and creates a cohesive and creative definition of the community. Our city has many values which could be incorporated into a general theme including, for example, its history with the citrus industry and overall view as the "Friendly City." I am confident other values could be identified. With a coherent theme, we could enhance the city's aesthetics and distinguish it from other communities. Without a unifying theme, we are indistinguishable from other communities.

Another area of concern is the section on murals. Ownership of the mural should be clear. As a general proposition, murals belong to the owner of the wall on which the mural is drawn and, at best, the muralist retains a license on use. The law on this subject is much more detailed and subtle. I believe this should be addressed in the ordinance. The current indemnification provision may not be sufficient to protect the owner of the wall, the muralist or the city.

No offense to Mercy or Judy but the "Mural Committee" should be more clearly defined if it is going to have power over mural content. For example, is it a formal or informal group? What standards does it use in evaluating mural content? How does one become a member? How often does it meet? Has it considered First Amendment issues relating to mural content? Has it considered ownership issues relating to murals?

I generally support the notion of a Mural Committee but feel strongly that it needs greater definition.

Finally, with respect to banners, unless I missed the fine print, the ordinance only sets a time limit for display. It does not address remedies in the event the banner is torn or tattered during the permitted time.

You may append my dissenting and minority opinion to the final report. Thank you for your consideration.

Valeriano Saucedo