

## RESOLUTION NO. 16-17

### A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS REGARDING SIZE AND PLACEMENT OF POLITICAL SIGNS

WHEREAS, K.S.A. section 25-2711 states that no city or county may prohibit the placement of or the number of political signs on private property or the unpaved right-of-way for city streets or county roads on private property during the 45-day period prior to any election and the two-day period following any such election; and

WHEREAS, K.S.A. section 25-2711 further provides that cities and counties may regulate the size and a set-back distance for the placement of signs so as not to impede sight lines or sight distances for safety reasons; and

WHEREAS, it is the responsibility of the Douglas County Public Works Department and the nine political townships to maintain County roads, drains, ditches and rights-of-way for public safety; and

WHEREAS, the Public Works Department has determined the appropriate limits on size and set-back distances for political signs as necessary in order to maintain public safety,

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, SITTING IN REGULAR SESSION, DOES HEREBY RESOLVE AS FOLLOWS:

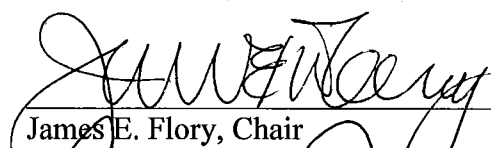
1. Private signage of any type or size that is placed within any public right-of-way within unincorporated portions of Douglas County may be removed and disposed of by Public Works or township road maintenance staff without notice to the owner in accordance with K.S.A. 68-545, except during an Election Period.
2. For purposes of this Resolution, the term "Election Period" means any period beginning 45 days before and ending 2 days after an election that has been scheduled by the Douglas County Clerk, in accordance with K.S.A. 25-2711.
3. This policy applies to all roads and public rights-of-way maintained by Douglas County or any of the nine political townships in the unincorporated area of Douglas County.
4. Sight lines for public road intersections must be maintained so that drivers entering intersections can be aware of each other and make safe operating decisions. Sight line protection is also required to allow drivers entering onto the roadway from private drives to see in both directions before proceeding onto the roadway.
5. Accordingly, for purposes of this policy, Douglas County establishes "Safety Zones," defined as follows: (a) the entire width of the public road right-of-way extending 300 feet in each direction from the edge of the paved or graveled surface of any intersecting public road; and (b) at all other locations, the area from the edge of the paved or graveled surface of the road extending 20 feet into the public right-of-way adjacent to the road. No political signs may be placed in a "Safety Zone" as defined by this Resolution.
6. Political signs placed on public road rights-of-way are further subject to the following size limitations: (a) the sign face may not exceed 12 square feet; and (b) the installed height at the top or highest point of the sign may not exceed 42 inches above the ground.

7. During an Election Period, political signs may be placed on private property in accordance with K.S.A. 25-2711, notwithstanding any provisions of the Douglas County Code to the contrary, provided they are not placed in a Safety Zone and do not violate the Douglas County Building Code.

8. The Public Works Department will enforce the terms of this Resolution, including in the following ways: (a) any signs placed inside a Safety Zone may be removed, relocated, or disposed of, without notice to the owner of the sign; (b) any signs exceeding the size or height limitations of this Resolution may be removed, relocated, or disposed of, without notice to the owner; (c) except as expressly provided to the contrary in this Resolution, the County's existing regulations governing signage will continue to apply, which may result in removal, relocation or disposal of signs placed in the public right-of-way, including political signs, with or without notice to the owner; (d) at any time, including during an Election Period, signs that are otherwise compliant with this Resolution may be removed, relocated, or disposed of, without notice to the owner, to the extent necessary to protect sight lines and sight distances for public safety; and (e) signs that are otherwise compliant with this Resolution may be temporarily removed and replaced and/or relocated by Douglas County Public Works or township road maintenance staff as necessary to maintain road rights-of-way.

ADOPTED the 22 day of June, 2016.

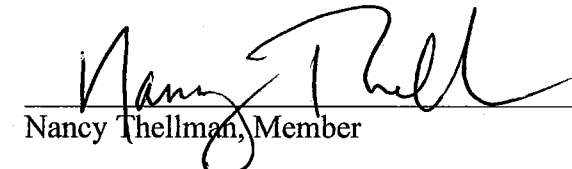
BOARD OF COUNTY COMMISSIONERS  
OF DOUGLAS COUNTY, KANSAS



James E. Flory, Chair



Mike Gaughan, Member



Nancy Thellman, Member

ATTEST:



Jameson D. Shew, County Clerk