

Sign Removal Program Frequently Asked Questions

How did the Sign Removal Program begin?

In response to a high volume of feedback from constituents, the Pierce County Council determined that the number of signs being placed illegally in the public right-of-way (ROW) had become a priority issue. First quarter of 2007, the Council asked the Departments of Public Works & Utilities and Planning and Land Services to conduct a sign removal pilot program.

In June 2007, the Council amended Pierce County Code 12.28 by passing ordinance 2007-44S titled "An Ordinance of the Pierce County Council Amending Chapter 12.28 of the Pierce County Code to Allow for Summary Removal of Illegally Placed Objects, Including Signs, from County Rights-of-Way; and Adopting Civil Penalties for Certain Violations". The Council identified a 55 square mile area within central Pierce County as the pilot area. The Sign Removal Pilot Program began in July 2007.

Total cost for the project was \$36,588 and averaged \$8.66 per sign removed. A total of 4,226 signs were removed, documented, and disposed of from 332 lane miles of right-of-way, an average of 13 signs per lane mile.

Prior to, during, and following the pilot, the council conducted public outreach including televised public service announcements and press releases in local print media. KIRO TV & KOMO TV covered the sign removal pilot kickoff, including an interview with Council Member Bush. During the pilot, Council staff and Public Works & Utilities employees spoke with many realtors and other sign owners. During these conversations, sign owners were informed of applicable law, the details of the sign pilot, and of the Council's intent to enforce sign regulations as applied to the public road ROW.

How did it become an ongoing Sign Removal Program?

In the fourth quarter 2007, the Council requested that Public Works & Utilities spend up to \$168K of their 2008 budget in support of an ongoing and county wide sign removal program. Direction to the Department was provided in the Council's adopted 2008 budget.

On February 15th 2008, crews began removing signs on the arterial and collector roads throughout Pierce County.

How much money is the County spending on the sign removal effort?

In the fourth quarter 2007, the Council requested that Public Works & Utilities spend up to \$168K of their 2008 budget in support of an ongoing and county wide sign removal program. Direction to the Department was provided in the Council's adopted 2008 budget.

As of August 5, 2008, Public Works and Utilities had spent \$74,600 to remove just over 11,300 signs, at an average cost of \$6.60 per sign removed. These costs include staff time to: remove and dispose of the signs at the recycling center; enter the sign information and site picture into the database; and, to manage citizen calls concerning sign removal.

What types of signs is the County removing from the road right-of-way?

The focus of the sign removal effort is on commercial signs that have been illegally placed within the maintained and operated portion of the County road right-of-way. Political signs are considered an expression of free speech and have been determined to be protected by the First Amendment, and therefore are not illegal when placed in the road right-of-way.

Is the County required to provide pre-notification prior to removing the signs?

Chapter 12.28.010, subsections B and C state:

"B. Pierce County may summarily remove any illegally placed, erected or installed object within a County right-of-way at any time.

C. Any person placing any object within a County right-of-way in violation of this Section shall be responsible for the removal of the object within 48 hours of receipt of written notice from Pierce County."

The Pierce County Prosecuting Attorney's office indicates that the language contained in subsection C does not require Pierce County to provide the individuals who place objects (including signs) 48-hours written notice prior to summary removal of the objects. Instead, this language is intended to support any action by Pierce County that would place the removal responsibility on the object owner. This would apply especially to objects that are not easily removed by county forces such as fences, rockeries, sheds, etc.

If Pierce County wishes to place the responsibility of removal (labor and/or costs) on the object/sign owner, then the owner of the sign/object must be afforded written notice 48 hours prior to action. Past practice has included a certified letter, return receipt.

How might a pre-notification requirement affect the sign removal process?

PCC 12.28.010 does not provide for pre-notification of the sign/object owner by phone. We estimate that a pre-notification requirement would more than double the labor and equipment costs of the program at a minimum:

- original site visit to capture information;
- sign owner notification action;
- second site visit to ensure compliance; and,
- consequent action(s) if/as needed.

We would also suggest that affording sign owners pre-notification would likely not result in a substantial decrease of the volume of illegal sign placement over the long term. For this reason, the County's ongoing labor and equipment costs would be several times higher.

How might the program be affected by legalizing limited placement of signs in the ROW?

If the Pierce County Code were amended to afford legal placement of signs in the ROW under certain conditions and/or for prescribed time frames, we believe management of such an effort would necessitate the formation of a dedicated sign permitting and enforcement section within the Department. The costs of sign removal and enforcement would increase exponentially over current, and the results may not pose sufficient incentive to reduce the continued placement of illegal signs over time.

Should the County hold signs for owner recovery?

During the pilot program, the County did hold signs at the Puyallup Shop and allowed sign owners the opportunity to retrieve them. This was a labor intensive activity to manage, requiring a full time employee to supervise the site during retrieval and to keep the area organized. Though each sign is imprinted with contact information, the citizens who arrived to retrieve signs were often sent by the actual sign owner or company representative. During the pilot, there were frequent complaints from sign owners that re-usable sign parts were being "stolen" from the sign storage area and that signs were being damaged by others during the retrieval process.

Without a consistent sign owner identification and verification process, a sign storage and recovery effort poses significant additional cost and risk to Pierce County.

How do I determine the ROW Boundary?

It is the responsibility of each property owner to determine where their property boundaries lie, including those that abut Pierce County public road ROW.

The average county road ROW is 60 feet in width; however, the width can vary. Additionally, the actual roadbed is not always constructed in the center of the ROW. This means that the only 100% reliable means to determine a ROW boundary is to conduct a legal survey and to apply the laws of land surveying to any existing prescriptive maintenance rights/responsibilities. Because of the resource requirements and costs, it is not realistic to conduct land surveys countywide in support of a sign removal effort. Instead, crews identify the ROW boundary by the roadside features that are consistently placed at this boundary, e.g.- utility poles, phone pedestals, electrical vaults, etc. If these features are not immediately present, then the apparent edge of maintenance may be used as a guide. When crews encounter a sign that is in a location where the ROW boundary is not readily determined by this means, the sign is photographed, logged into the tracking system and left in place.

Further information regarding the Sign Program can be found by visiting us at:
www.piercecountywa.org/signs