



# THE TAOS NEWS

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## **Council: Let public review sign code first**

By Matthew van Buren

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The Taos Town Council again delayed a vote on changes to the town's sign code Tuesday (Aug. 24).

The council voted unanimously to continue the hearing until Sept. 14 to give members of the public more time to review the amended ordinance, which would affect both commercial and non-commercial speech.

Town attorney Allen Ferguson said changes to the code were made with U.S. Supreme Court decisions in mind, including giving more leeway to noncommercial speech and justifying any restrictions on public health, safety and welfare grounds, including aesthetic concerns. He also said the existing code says a sign is illegal unless it conforms to the code, while new language tries to promote free speech.

"A sign is presumptively lawful unless it violates something in here," Ferguson said.

Mayor Darren Córdova said he wanted to dispel rumors that the code revisions were directed at former mayoral candidate Jeff Northrup, who can often be seen along the road with colorful protest signs.

"This is a complete cleanup of the sign code," he said.

However, Córdova did say some revisions will affect picketers such as Northrup, as they specifically disallow the placement of signs on public rights of way. He said signs should not be able to obstruct sidewalks.

Several members of the public, including Northrup, attended Tuesday's meeting to express concerns about the code's potential effects on First Amendment rights.

Jeanne Green said the town should exercise restraint when attempting to limit political speech, such as restricting protesters to hand-held signs.

"Be careful about treading on our rights," she said.

Cliff Bain also said the town should protect political speech rather than restricting protesting activities in town.

"I haven't seen a real problem," he said. "I haven't seen a safety issue."

Both Green and Bain said they had not had time to review the ordinance prior to the meeting; Bain said the town should have made the revised code available online for public review.

Council Member Gene Sánchez said public participation is important while dealing with this "critical issue" and suggested continuing the hearing to Sept. 14.

Following the hearing, Green said she is not worried about the draft code's effects on commercial speech. "I just wanna be able to say my piece," she said.

The draft sign code sets restrictions on permanent signs, including restricting the number of signs and sign area on a property or in a window. It also prohibits certain types of signs, such as billboards, signs that flash, have mechanical parts or audio devices and inflatable signs.

The proposed code "wholly" exempts picketing, boycott and protest signs from the code provided they are hand-held, contain non-commercial messages and remain "in a person's control at all times."

The town Planning and Zoning Commission is also able to grant variances from the code, though variances cannot allow more than a 20-percent increase in size, surface area, height or other dimensions.

To review the revised code in its entirety, visit [taosgov.com](http://taosgov.com)

or e-mail Public Information Officer Cathy Connelly at [cconnelly@taosgov.com](mailto:cconnelly@taosgov.com).