



Advertisements on City Property

E

PROPOSITION E

Shall the City prohibit an increase in the number of general advertising signs on street furniture and specifically prohibit new general advertising signs on City-owned buildings?

YES ←  
NO ←  

Digest

by the Ballot Simplification Committee

THE WAY IT IS NOW: The City regulates general advertising signs on street furniture, which includes transit shelters, kiosks, public toilets, benches and newspaper racks, and other structures on public sidewalks and places. The City contracts with private companies to provide public facilities such as toilets and transit shelters and authorizes those companies to sell advertising space on or around these facilities.

In 2002, San Francisco voters adopted an ordinance amending the Planning Code to prohibit new general advertising signs on all buildings in the City, including City-owned buildings.

In 2007, the voters adopted a declaration of policy that the City not increase the number of general advertising signs on street furniture above the number authorized by City law and City contracts as of July 1, 2007.

THE PROPOSAL: Proposition E would prohibit an increase in the number of general advertising signs on street furniture

above the number authorized by City law and contracts as of January 1, 2008 (rather than July 1, 2007). This proposition would make the declaration of policy adopted in 2007 into City law.

Proposition E would also add to the Administrative Code the statement from the Planning Code that new general advertising signs are prohibited on all buildings in the City. It also specifies that the prohibition applies to City-owned buildings.

A "YES" VOTE MEANS: If you vote "yes," you want to prohibit an increase in the number of general advertising signs on street furniture above the number allowed by City law and contracts as of January 1, 2008, and specifically prohibit new general advertising signs on City-owned buildings.

A "NO" VOTE MEANS: If you vote "no," you do not want to make these changes.

Controller's Statement on "E"

Should this ordinance be approved, in my opinion, it would not in and of itself affect the cost of government.

However, restrictions on general advertising would affect the ability of some public agencies to generate additional revenue. For example, the Municipal Transportation Agency (MTA) currently allows advertising on a portion of its transit shelters which generates over fifteen million dollars annually for the City. The proposed ordinance would prevent any expansion of such advertising. The ordinance would prohibit any new general advertising signs on street furniture above that authorized as of January 1, 2008 as well as prohibit new general advertising signs visible to the public on the exterior of City-owned buildings above that authorized as of March 5, 2002.

In 2002, the voters of the City and County of San Francisco approved Proposition G, which updated the Planning Code to prohibit new general advertising. In 2007, the voters approved Proposition K, a policy statement that prohibited increases in general advertising signs on street furniture. The proposed initiative ordinance implements and codifies Propositions G and K into the City's Administrative Code.

How "E" Got on the Ballot

On January 5, 2009 the Department of Elections received a proposed ordinance signed by Supervisors McGoldrick, Mirkarimi, Peskin and Sandoval. On July 21, 2009 Supervisor Mar signed as a cosponsor of the ordinance.

The City Elections Code allows four or more Supervisors to place an ordinance on the ballot in this manner.

Propositions D and E concern the same subject matter. If both measures are adopted by the voters, and if there is a conflict between provisions of the two measures, then some or all of the measure approved by fewer votes would not go into effect.

This measure requires 50%+1 affirmative votes to pass.

Arguments for and against this measure immediately follow this page. The full text begins on page 67. Some of the words used in the Digest are explained on pages 24-25.

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PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION E

Vote Yes for Prop E.

The plain truth is that San Francisco voters want to preserve San Francisco's unique beauty.

In 2002, an overwhelming 79.1% of San Francisco voters voted to protect the overall quality of life, protect the environment, and limit visual blight on private property by approving Prop G, the "No New Billboards" initiative.

However, the creeping commercialization of our public spaces continues, as so-called "street furniture" of all shapes and sizes continue to appear, replete with garish odes to cell phones or automobiles or lipsticks.

Prop E will reaffirm and will further the mandate of the San Francisco voters, by limiting the advertising that assails the senses on a daily basis. Prop E will limit the advertising spaces that plaster transit shelters, kiosks, other street clutter and buildings in our public spaces to the current quantity. This is the only way we are able to keep the spirit of the voter wishes. Though the street furniture continues to grow in

number, the advertising blight will not advance. Don't let the advertising community co-opt your public property.

Continue San Francisco's fight against blight. Continue the fight against targeted advertising and marketing on San Francisco property. Continue the fight against visual clutter. Vote Yes on Prop E.

Former SF Supervisor Jake McGoldrick

Former SF Supervisor Aaron Peskin

Chair, San Francisco Democratic County Central Committee*

*Supervisor Eric Mar**

*David Chiu, President, SF Board of Supervisors**

*Supervisor John Avalos**

Supervisor Ross Mirkarimi

*Supervisor Chris Daly**

*Supervisor Sopenia Maxwell**

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

REBUTTAL TO PROPONENT'S ARGUMENT IN FAVOR OF PROPOSITION E

PROPOSITION E IS UNWISE AND LEGALLY QUESTIONABLE PROPOSED LEGISLATION

Proposition E is broadly phrased – and perhaps illegally "overbroad". Only litigation and the courts are going to be able to decide what Proposition E might prohibit:

Proposition E seeks to halt the popular rain shelters and seating for Muni patrons (so-called: "street furniture").

Proposition E might be argued to ban advertising at events receiving City Hotel Tax Funds (the Chinese New Year, St. Patrick's Day, Columbus Day, and Gay Pride Parades), thus damaging San Francisco's vital tourist trade (hotels, restaurants, etc.).

Proposition E might be argued to ban needed fund-raising by the Recreation and Park Department (for museums, the Zoo, children's and senior citizens' events, etc.) and the Health Department (for anti-swine flu and anti-AIDS medical projects).

Avoid costly litigation. Don't roll the legal dice on highly questionable Proposition E.

Vote **AGAINST** Proposition E!

San Francisco deserves much better.

Dr. Terence Faulkner, J.D.

Member and Past County Chairman

San Francisco Republican County Central Committee*

Denis J. Norrington

President

Arrow Stamp and Coin Company*

Arlo H. Smith

Member

San Francisco Democratic County Central Committee*

Mike Garza

President

San Francisco Mexican American Political Association (MAPA)*

*For identification purposes only; author is signing as an individual and not on behalf of an organization.

Arguments printed on this page are the opinion of the authors and have not been checked for accuracy by any official agency.

Arguments are printed as submitted. Spelling and grammatical errors have not been corrected.

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OPPONENT'S ARGUMENT AGAINST PROPOSITION E

PROPOSITION E IS A MISGUIDED PROPOSAL TO BAN BUSINESS ADS ON CITY PROPERTY AND TO REFUSE THE REVENUE FOR THE CITY OF THE PROHIBITED ADS:

Public sales ads have existed in Western cities almost from the invention of writing.

Sales offers and political posters have been found on the walls of the ancient Roman town of Pompeii (destroyed by a volcano in 79 A.D.).

Proposition E is a petty and anti-business measure that our City ill-needs in an economically difficult period.

Proposition E would cost San Francisco taxpayers money. These lost funds – absent unwise Proposition E – can be used for Muni, our flu-threatened Health Department, and our poorly staffed Recreation and Park Department.

Vote **AGAINST** Proposition E.

It's bad for our City's taxpayers.

Dr. Terence Faulkner

Chairman

Lake Merced Civic Affairs Club

REBUTTAL TO OPPONENT'S ARGUMENT AGAINST PROPOSITION E

Please vote Yes on E.

The vaguery and persistent platitudes of the opponent fail to address the never-ending onslaught of commercial clutter in and on our cherished public places. The visual pollution that assaults our senses and our sensibility daily diminishes the quality of our urban environment. Proposition E allows us to assert, once again, that we cherish the sacred spaces that are public and that are created for our public enjoyment, not private exploitation.

The tired and apocalyptic argument that the city will suffer from limiting advertising blight is as untrue today as it was when the advertisement community whined about 2002's Prop G, where San Francisco voters said NO new billboards by an overwhelming majority. Through the basic economic principle of supply and demand, San Francisco did not go bankrupt. The ad pushers easily managed to stay within the confines of what already existed without intensifying and further blighting the city.

We have a clear choice here. San Francisco is one of the world's most beautiful cities. Let's keep it beautiful.

Please limit the visual pollution.

Let's limit commercial clutter.

Generations to come will enjoy the beauty that is San Francisco.

Vote Yes on Prop E.

Jake McGoldrick, Former SF Supervisor, member, Democratic County Central Committee*

San Francisco Democratic Party

Supervisor Ross Mirkarimi

*Supervisor Eric Mar**

*Supervisor Sopenia Maxwell**

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PAID ARGUMENTS IN FAVOR OF PROPOSITION E

Vote YES on Prop E: "Stop New Billboards on Public Property"

Proposition E would prevent "ad creep" from appearing on more of our civic assets.

Commercial advertising on public property contributes a minuscule sum to the City Hall budget, but it comes at a high cost. It detracts from San Francisco's attractiveness to tourists and from the pleasant surroundings for our residents.

Voters, on two prior occasions, have decisively voted against new commercial advertising in the City, yet ads on *public* property still proliferate. Prop E, however, guarantees to hold the line against *new* advertising in the public right-of-way.

Prop E strikes a fair balance by preserving current ad space on public property - thus allowing the City to continue receiving those annual revenues. Yet it effectively stops City Hall from selling additional spaces to the billboard industry.

Passage of Prop E also limits the risk of more intrusive forms of advertising in the public-right-of-way. This would include

blinking, digital billboards now contemplated for neighborhoods throughout the City and on Muni vehicles.

In 2007, 62% of voters had approved a non-binding resolution that called for no new advertising in the public right-of-way. In this election, Prop E would finally give previous voter intent the force of law.

Millions of visitors the world over highly cherish San Francisco for its unique character and beauty. This, and not commercialism, is the goose that lays the golden eggs, even in challenging times.

Preserve the unique character of San Francisco! **Vote YES on Prop E!**

San Francisco Beautiful
www.sfbeautiful.org/billboards

The true source of funds for the printing fee of this argument is San Francisco Beautiful.

PAID ARGUMENTS AGAINST PROPOSITION E

VOTE NO ON "E". Don't cut money that flows to MUNI and sidewalk improvements. Proposition E stops the city from expanding our news rack and bus shelter programs and may prevent a bike sharing program. Do not cut off important revenue sources, especially during tough financial times. Vote NO on "E" - it is fiscally irresponsible.

San Francisco Chamber of Commerce

The true source of funds for the printing fee of this argument is the San Francisco Chamber of Commerce.

Prop E will deny The City of San Francisco the ability to generate revenue from new advertisements on any of its properties under any circumstances. New ads should be regulated judiciously on an individual basis without resorting to a total ban. VOTE NO ON PROP E!

Citizens for a Better San Francisco
(for more information visit www.CBSF.net)

The true source of funds for the printing fee of this argument is Citizens for a Better San Francisco.

The two contributors to the true source recipient committee are Edward Poole and Michael Antonini.

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