

## Amending the Marco Island Sign Ordinance to Prohibit Political Signs in the Public Right-of-Way

**Issue:** Marco Island’s ordinance allows political signs in the public right-of-way from 7:00 a.m. to 6:00 p.m. This has resulted in an excessive number of signs at early voting and Election Day sites creating visual clutter and community complaints. (See similar photos below).

Signs not removed by 6:00 p.m. are confiscated by Marco police and held at the station, creating excess work for officers and potential storage issues. There have also been reports of confrontations between campaign workers, including blocking or removing opponents’ signs. According to the Marco Island Recycling Center, these signs and their frames are not recyclable and are treated as trash.

In contrast, Collier County and the City of Naples prohibit political signs in public rights-of-way. As a result, candidates often concentrate large numbers of signs at Marco Island voting locations where this is allowed. To further clarify, Collier County and Naples do allow campaign representatives to be present at voting sites holding signs, but do not permit unattended, in-ground signs.

Before 2022, Marco Island allowed political signs without restriction. While the City Council considered aligning with Naples and Collier County, concerns about political backlash and legality led them to adopt the current time-limited allowance instead.

To date, neither Naples nor Collier County has reported issues with their stricter ordinances.



# **Proposal to Amend the Marco Island Sign Ordinance:**

## **Purpose**

To improve public safety, visual appearance, and regulatory consistency by prohibiting political/campaign signs in the public right-of-way (ROW), while preserving residents' First Amendment rights to display such signs on private property and preserving candidate and campaign workers' First Amendment rights.

## **Background**

Marco Island currently allows limited placement of political signs in the public right-of-way in residential areas during certain hours. Neighboring jurisdictions, including Naples and Collier County, prohibit political signs in the ROW and restrict them to private property with owner consent.

Public rights-of-way are shared community spaces intended for transportation, safety, and accessibility. Allowing campaign signs in these areas creates:

- Visual clutter
- Potential traffic and pedestrian safety hazards
- Enforcement confusion
- Inconsistent standards with surrounding jurisdictions

## **Legal Considerations**

This proposal:

- Does NOT ban political speech
- Does NOT restrict private property rights
- Complies with the First Amendment
- Follows established “time, place, and manner” standards upheld by courts
- Does NOT ban campaign workers from holding political signs at voting sites outside of the protected 150’ “no solicitation zone”

Political signs would remain fully permitted on private property.

## **Proposed Policy Change (Summary)**

Amend the City of Marco Island Sign Ordinance to:

1. **Prohibit all political/campaign signs in the public right-of-way**
2. Allow political signs only on private property with owner consent
3. Allow political signs to be held by candidates and campaign workers at voting sites outside of the 150’ protected “no solicitation zone”
4. Maintain reasonable size, safety, and placement standards

## **Benefits**

- Improved traffic and pedestrian safety

- Cleaner and more attractive streets
- Easier enforcement
- Consistency with Naples and Collier County
- Clearer rules for residents and campaigns
- Protection of free speech on private property

**References:**

Marco Island Sign Ordinance (Chapter 30, Article VI):

[https://library.municode.com/fl/marco\\_island/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH30LAD\\_ECO\\_ARTVISI\\_S30-521SCPUINSUSE](https://library.municode.com/fl/marco_island/codes/code_of_ordinances?nodeId=PTIICOOR_CH30LAD_ECO_ARTVISI_S30-521SCPUINSUSE)

Naples Sign Ordinance:

[https://www.naplesgov.com/sites/g/files/vyh1if11786/files/media/cityclerk/file/179571/political\\_signs.pdf](https://www.naplesgov.com/sites/g/files/vyh1if11786/files/media/cityclerk/file/179571/political_signs.pdf)

Collier County Sign Ordinance:

<https://www.collier.gov/Business-Resources/Code-Enforcement/Prohibited-Signs>