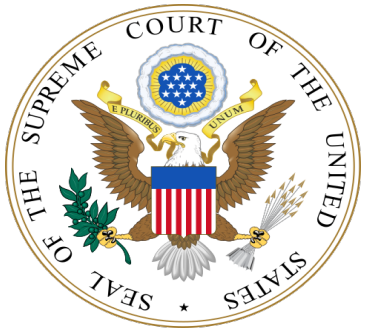
Campaign-Related Regulations

Purpose of Campaign Regulations

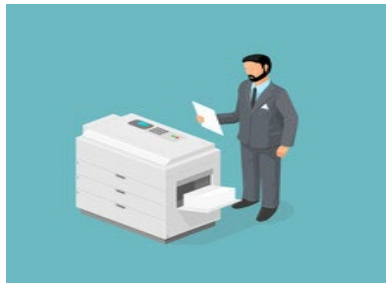


US Supreme Court

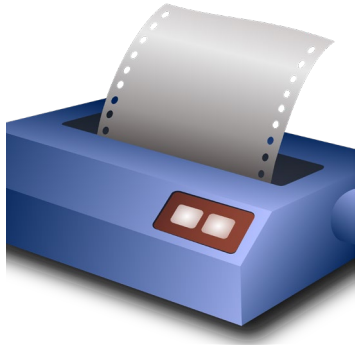
Striking a Balance Between the Personal Rights of City Officials and the Interests of Voters and Taxpayers who are entitled to a fair election process free of the undue influence when public positions are used as "bully pulpits."

May Not Use Public Funds or Public Resources for Campaign Purposes

Government Code § 54964



<u>EXAMPLES</u>



Copy Machines

Faxes

Computers

Printers

Other Office Equipment

Prohibited From Using To Design, Make, Or Distribute Political Pamphlets, Flyers, Signs, Or Other Materials

May Not Use Public Funds or Public Resources for Campaign Purposes

Government Code § 54964

<u>EXAMPLES</u>

CITY TELEPHONES/CITY E-MAIL

Prohibited from Making Political Cold Calls for Candidates

Prohibited from Calling any Organizations on Behalf of Candidates

Prohibited from Communicating Personal Views about Candidates

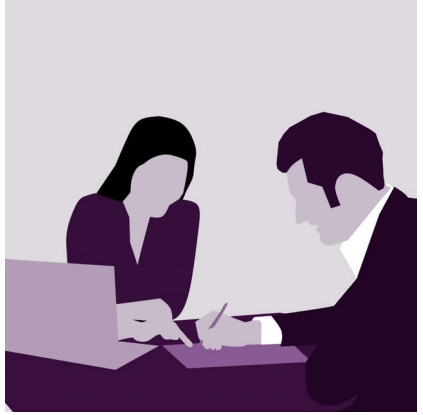
Prohibited from Sending or Receiving Messages Related to Candidates

May Not Use Public Funds or Public Resources for Campaign Purposes

Government Code § 54964

<u>EXAMPLES</u>

OFFICE SPACE



Prohibited from Using City Office or City Workspace to Engage in Campaign Activities

Holding Campaign Meetings
Organizing Campaign Events
Preparing Campaign Ads

May Not Use Public Funds or Public Resources for Campaign Purposes

Government Code § 54964

<u>EXAMPLES</u>

OFFICE SUPPLIES

Prohibited from Using or Taking Away City Office Supplies in Support of Candidates.

Printer Paper
Binders
Staplers
Pens & Paper Clips

May Not Use Public Funds or Public Resources for Campaign Purposes

Government Code § 54964

<u>EXAMPLES</u>

CITY WEBSITE & CITY SOCIAL MEDIA

Prohibited From Using City Website or City Social Media Accounts for Campaign-Related Purposes

Statements Supporting or Opposing Candidates
Requesting/Soliciting Campaign Funds
Referencing a Candidate's Campaign Schedule or Activities

May Not Use Public Funds or Public Resources for Campaign Purposes

Government Code § 54964

<u>EXAMPLES</u>

Staff Time

Prohibited From Using City Staff for Campaign-Related Purposes

Maintaining a Calendar of Candidate's Events
Attending Campaign Events
Performing Campaign-Related Work

Employee Uniforms

Government Code § 3206

Employees who wear a City uniform may not participate in any political activity while in uniform - even when off duty.

<u>Examples of Uniformed Employees</u>

Fire, Police, Code Compliance, Animal Control, and Public Works Crews

Solicitating Campaign Contributions

Government Code § 3205

Prohibited from knowingly, directly or indirectly, soliciting a campaign contribution from any City employee.

<u>Examples</u>

ADDRESS LIST: May not obtain a list of City employees' names and addresses for campaign purposes.

DIRECT SOLICITATION: May not ask (whether in person, by writing, or by e-mail) a City employee to contribute or donate any money or time to a candidate's campaign.

Solicitating Campaign Contributions

Government Code § 3205

Examples

MASS MAILINGS: May not intentionally include specific City employees on a list that will be used to solicit campaign contributions.

PHONE BANKS: May not knowingly call or instruct someone else to call specific City employees for campaign contributions.

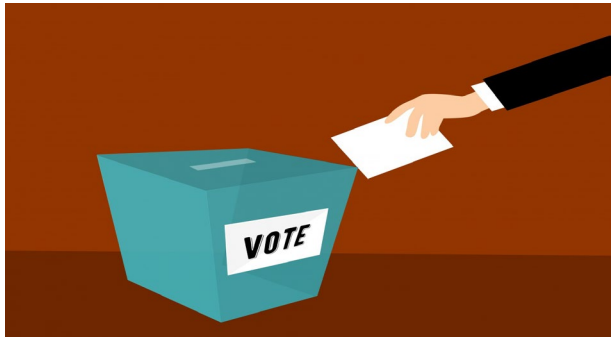
Using Position to Influence

Government Code § 3204

Prohibits use of official position to persuade or induce any City employee to take any political action.

<u>Examples</u>

VOTING: May not urge, encourage, or threaten a City employee to vote or refrain from voting for a particular candidate.

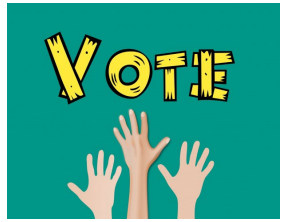


Using Position to Influence

Government Code §§ 3204 & 3205.5

Prohibits use of official position to persuade or induce any City employee to take any political action.

<u>Examples</u>



CONTRIBUTING: May not urge, encourage, or threaten a City employee to contribute to a particular candidate.

CAMPAIGNING: May not urge, encourage, or threaten a City employee to campaign, or participate in a campaign, for or against, a candidate.

Making Promises

Government Code §§ 3204 & 3205.5; Elections Code § 18520.

Prohibited from promising to provide a City employee with a gift, money, promotion, job, or other form of compensation in return for a contribution or vote.

Examples

HIRING: May not promise to hire or appoint any person for a City position in return for a contribution or vote for or against any candidate or ballot measure.

SALARIES: May not promise to increase the pay rate, salary, or benefits of any City employee in return for a contribution or vote for or against any candidate

Making Promises

Government Code §§ 3204 & 3205.5; Elections Code § 18520.

Examples

GIFTS: Prohibited from promising to provide any person with money, a loan, or any type of gift in return for a contribution or vote for or against any candidate.

PARTIES: Prohibited from promising a City employee to hold a party, dinner, or other celebration in exchange for the employee's contribution or vote for or against any candidate.

Mass Mailings
Within 60 Days of Election

Government Code Section 89003

The City is prohibited from sending out certain information within 60 days of an election regarding any candidate whose name will appear on the ballot at that election.

Letters: A mailing in which the candidate's name appears in on City letterhead, City envelopes, City stationery, forms, and City envelopes.

Roster Listing: A mailing of a roster listing containing the name of the candidate, even though all council names appear in the roster.

Photograph: A mailing of a photo of a candidate.

Mass Mailings
Within 60 Days of Election

Government Code Section 89003

The City is prohibited from sending out certain information within 60 days of an election regarding any candidate whose name will appear on the ballot at that election.

Signature: A mailing of any item containing the candidate's signature.

Reference: A mailing of any item that makes any reference to the candidate.

Meeting Announcements: A mailing of any public meeting announcements sent to the candidate's constituents that contain the candidate's photo, signature or any reference to the candidate.

Event Announcements: An announcement of any official City event that involves the use of a City facility, City staff or City financial support that includes the candidate's photo, signature or any reference to the candidate.

Business Cards: Business cards that contain the candidate's photo or any mention of the candidate's officer's name.

Mass Mailings
Within 60 Days of Election

Government Code Section 89003

The City is prohibited from sending out certain information within 60 days of an election regarding any candidate whose name will appear on the ballot at that election.

Event Announcements: An announcement of any official City event that involves the use of a City facility, City staff or City financial support that includes the candidate's photo, signature or any reference to the candidate.

Business Cards: Business cards that contain the candidate's photo or any mention of the candidate's officer's name.

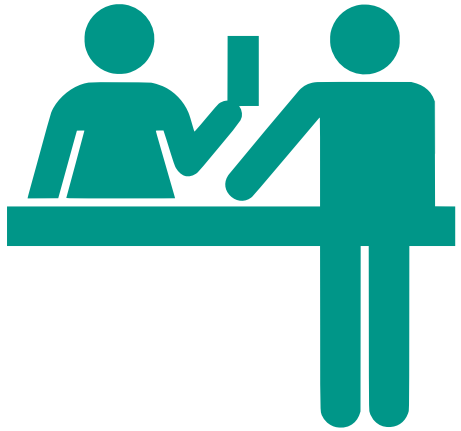
Public Forum Analysis

Where can I distribute campaign material?

<u>Better Question</u>

Where can't I distribute campaign materials?

Public Forum Analysis



Depends on Purpose of the Forum?

City Hall (Inside) – NO

Purpose of City Hall is to Conduct City Business.

Public Forum Analysis

Depends on Purpose of the Forum?

Other City Facilities – NO

Purpose of Amphitheater is for Public Entertainment

Purpose of Libraries is for a Quiet Place for the Public to Engage in Library Activities

Purpose of Civic Center Parking Lot is for the Parking and Movement of Vehicles

Purpose of Recreational Facilities are for Recreation

Public Forum Analysis

Then Where?

Public Sidewalks
Public Walkways to City Facilities

Caveat

MAY NOT IMPEDE FREE MOVEMENT OF PEDESTRIANS
MAY NOT CREATE ANY TRAFFIC SAFETY HAZARDS
MAY NOT DAMAGE PUBLIC PROPERTY
MAY NOT LITTER

Other Public Property

<u>May not affix campaign sign to the following:</u>

City Buildings

City Walls and Fences

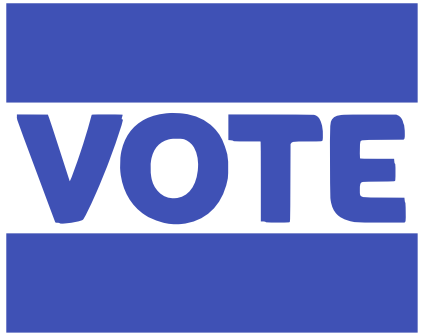
City Signs

City Fixtures and Equipment

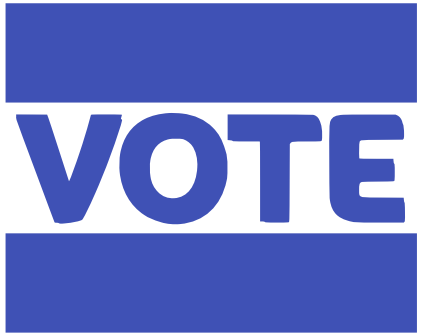
City Benches and Tables

City Public Restrooms

City Vehicles



Campaign Signs Law



1. FIRST AMENDMENT

2. COURTS INTERPRET THE LAW

3. CONTENT NEUTRAL

4. TIME, PLACE & MANNER REGULATIONS

Campaign Signs

- Moreno Valley Municipal Code -

FREQUENTLY ASKED QUESTIONS

Are political campaign signs regulated in the City of Moreno Valley?

Political campaign signs are regulated in the City as “temporary signs,” consistent with the most current opinions of the United States Supreme Court regarding the regulation of signs by local government.

Do I need a permit to post, install or display temporary signs related to a political campaign?

No permits are required to post, install or display temporary signs related to a political campaign unless the physical structure of the sign requires a building permit.

Do I have to register any information with the City before I start posting, installing or displaying temporary signs related to a political campaign?

There is no registration requirement, but it is highly recommended that you contact the Community Enhancement Division at 951.413.3340 to identify the individual to contact in the event the City needs to inform your campaign of any illegally placed signs that can be retrieved from the City before the City disposes of them.

Campaign Signs

- Moreno Valley Municipal Code -

FREQUENTLY ASKED QUESTIONS

When may I post, install or display temporary signs related to a political campaign?

Candidates and supporters may post, install and display temporary signs related to a political campaign **90 days prior** to and **10 days after** any official election. For this November 3, 2026, General Election, such signs may not be posted, installed or displayed before **August 4, 2026**.

When must I remove a temporary sign related to a political campaign?

All temporary signs related to a political campaign must be taken down or removed no later than 10 days after the election, which is **November 13, 2026**, for this November 3, 2026 General Election.

May I post, install or display temporary signs related to a political campaign on private property?

Temporary signs related to a political campaign may be posted, installed or displayed on private property only with the consent of the property owner, lessee, or person in lawful possession of the property.

Campaign Signs

- Moreno Valley Municipal Code -

FREQUENTLY ASKED QUESTIONS

May I post, install or display temporary signs related to a political campaign on public property?

Temporary signs related to a political campaign **may not** be posted, installed, or displayed on any of the following:

- Public buildings, structures, walls, fences, etc.
- Trees or shrubs located on public property such as in the City's parks or along parkways, sidewalks, trails, etc.
- In or on any public streets, roadways, sidewalks, parkways, trails or street medians.

Are there any other restrictions related to posting, installing or displaying temporary signs related to a political campaign?

Temporary signs related to a political campaign may not be placed in any manner that:

- Creates a condition that endangers the safety of persons or property;
- Obscures the view of fire hydrant, traffic sign, traffic signal, street sign or public information sign; or
- Blocks the line of sight for vehicle or pedestrian traffic.

No lot shall contain temporary signs related to a political campaign having an aggregate surface area in excess of 80 square feet.

No temporary sign related to a political campaign shall be permitted on any median separating opposite vehicular traffic on any public streets or other public rights-of-way.

Campaign Signs

- Moreno Valley Municipal Code -

FREQUENTLY ASKED QUESTIONS

How large may a temporary sign related to a political campaign be?

- No **single sign** shall exceed 32 square feet
- No **freestanding sign** shall exceed six feet in height.
- No **window signs** shall cover more than 25 percent of the “clear sight” window area and they must be placed between four and seven feet above the finished floor level.
- No **banner sign** shall be placed lower than eight feet above any walkway below.
- No **canopy sign** shall be placed lower than eight feet above any walkway below.

May lights be used to illuminate a temporary sign related to a political campaign?

No temporary sign related to a political campaign shall be artificially lighted.

Campaign Signs

- Moreno Valley Municipal Code -

FREQUENTLY ASKED QUESTIONS

What happens if I violate any of these sign regulations?

The signs will be removed and stored for no more than 30 days. If you do not provide contact information on the sign itself or similar information to the Community Enhancement Division, the City will not be able to contact you to notify you that the signs need to be picked up. As such, after 30 days, the illegal signs will be destroyed. Additionally, the City will require that you pay for the costs of removal and storage of the illegal signs.

Who do I call to retrieve any signs the City may have removed?

If you have any questions regarding the removal of any signs by the City, you should contact Community Enhancement Division at 951.413.3340.

Levine Act

- California Government Code Section 84308 -

APPLICANTS

Requires Applicants for Licenses, Permits, and Other Entitlements to Disclose any Campaign Contribution Exceeding $250 that the Applicant Made to a Member of the City Council Within the Prior 12 months.

Prohibits Applicants from Making a Contribution Exceeding $250 During a Proceeding and for 12 months Following the Final Decision of the Proceeding.

Levine Act

- California Government Code Section 84308 -

City Council Members

Council Member must Recuse Him/Herself from any proceeding involving a license, a contract, a permit or other entitlement if the “applicant” or “applicant’s representative” in the proceeding has made a campaign contribution of more than $250 within the preceding 12 months to the Council Member.

- **Disclosure Requirement**
  Must publicly disclose the contribution for the record of the proceeding.
- **Curing Situation**
  - Return the contribution within 30 days of receiving the contribution

Levine Act

- California Government Code Section 84308 -

City Council Members

Council Member must Recuse Him/Herself from any proceeding involving a license, a contract, a permit or other entitlement if the Council Member received a campaign contribution from a "**PARTICIPANT**" of more than $250 within the preceding 12 months and the Council Member knows the Participant has a financial interest in the outcome of the proceedings.

- **Disclosure Requirement**
  Must publicly disclose the contribution for the record of the proceeding.
- **Curing Situation**
  - Return the contribution within 30 days of receiving the contribution

Levine Act

- California Government Code Section 84308 -

City Council Members

Council Member is prohibited from soliciting, directing or accepting a campaign contribution from an applicant or applicant's representatives of more than $250 during a proceeding involving the applicant or within 12 months after the proceeding.

Curing Situation: Return the portion of the contribution in excess of two hundred fifty dollars ($250), within 14 days of accepting, soliciting, or directing the contribution, whichever comes latest.

Levine Act

- California Government Code Section 84308 -

DEFINITIONS

Participant: Any person who is not a party ("applicant") but who actively supports or opposes a particular decision in a proceeding involving a license, permit, or other entitlement for use and who has a financial interest in the decision.

A person actively supports or opposes a particular decision in a proceeding if that person lobbies in person the officers or employees of the agency, testifies in person before the agency, or otherwise acts to influence officers of the agency.

Levine Act

- California Government Code Section 84308 -

DEFINITIONS

Participant's Financial Interest

Business: Impact of any business entity in which the participant has a direct or indirect investment worth two thousand dollars ($2,000) or more or any business entity in which the participant is a director, officer, partner, trustee, employee, or holds any position of management.

Real Property: Impact on any real property in which the participant has a direct or indirect interest worth two thousand dollars ($2,000) or more.

Levine Act

- California Government Code Section 84308 -

DEFINITIONS

Participant's Financial Interest

Source of Income: Impact of any source of income received by the participant within 12 months prior to the time when the decision is made.

Gift Sources: Impact on any of the participant's donors of, or any intermediary or agent for a donor of a gift or gifts aggregating two hundred fifty dollars ($250) or more in value provided to, received by, or promised to the public official within 12 months prior to the time when the decision is made.

CONCLUSION

Its all about protecting the taxpayers' investment in public property and resources, respecting the rights of City staff and protecting the integrity of local elections – which all builds trust and confidence in local government.