

Residents raise concerns about yard-sign ordinance

Melissa Walsh Staff Writer

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GROSSE POINTE FARMS – During Monday's city council meeting, more than a dozen residents expressed concerns over the city ordinance regulating timing of yard signs as a violation of their First Amendment rights. The ordinance stipulates residents may only place one yard sign for seven days on their property, including "signs for promoting garage sales, schools, graduation, sports teams or other extracurricular activities such as a dance academy." Political election signs are allowed in yards no longer than 30 days and must be removed within five days following an election.

Arguing that the signs ordinance is not "content neutral," Farms resident Christina Agnello launched the discussion by asking whether "curb appeal" or "free speech" are more important to city council. A government teacher, Agnello noted a previous case concerning a Grosse Pointe Woods signs ordinance, which was struck down in federal court in 2004. Agnello said she's received ordinance notifications for signs she's circulated on her lawn, such as "Welcome Neighbors" and "Black Lives Matter."

Farms resident Maria Catalfo said the notification she received for a political sign she posted in her yard brought an "odious and chilling effect" in that she is prohibited from exercising free speech for longer than seven days. She affirmed in her statement some Farms residents have consulted attorneys regarding this ordinance and their First Amendment rights.

Farms resident Elizabeth Ruskie requested the ordinance be lifted on behalf of parents wanting to express student and athlete achievements as signs on the lawn. Councilman Louie Theros said he had received a notification, or warning of violation of the ordinance, two years ago for a sign he posted for his son's high school graduation.

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Responding to a question raised by another resident in the audience regarding a perceived upsurge in signs ordinance notifications, City Manager Shane Reeside said notifications to residents have been consistent over the years and he's not aware of any actual violation citations given, only warnings.

Farms city attorney William Burgess agreed to hear the specifics of residents' concerns outside the meeting and recommended council consider those concerns.

"This ordinance has been in the books for at least as long as I've been city attorney, which is 1991," he said. "The language has changed a little bit during that period of time. But the same concept has been in place In my memory, this is the first time that an issue of precisely this nature has been raised in front of the city council. In fairness, the council will want to consider what (residents) presented this evening and an opportunity to obtain my advice, which I will not give this evening."

He further commented, "No one within the city administration or among sitting council members has any interest in abridging First Amendment free speech rights."

He said "it's not permissible" if a municipal authority attempted to violate residents' rights, adding that balance must be found between free speech precedents under the U.S. Supreme Court and sign regulations for community safety and aesthetics.

Responding to a resident's concern that ordinance notifications seem to target political statements on lawns, Councilman Pete Waldmeir said, "If there's a concern of political targeting, we'll look into it."



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