

Oswego Parkway Signs  
Jeff Merrinette, GAD

On June 13<sup>th</sup> we fully expected the Village to pass a new sign code, including our model parkway sign language. Unfortunately, the Village Attorney wrote a memo for the Village Trustees which raised concerns about the parkway sign language. The Trustees deferred the issue back to the Planning Commission because of how long and hard staff, Commissioners, and Realtors worked on this issue. It appeared that we had enough votes to pass the ordinance, if only we could resolve the attorney's objections.

In short, the attorney wrote that sign codes must be free of any discrimination in signs regarding content. That is to say, the code cannot allow one sign (Realtor open house signs) and ban other signs (Sear's Hardware going out of Business). This is apparently a legal standard for commercial language under the First Amendment of the U.S. Constitution.

Our next step is to get advice and suggestions from our legal counsel on how to approach this issue protecting Realtor right to lawfully use an open house directional sign and still meet the constitutional standard.

Perhaps we can draft an ordinance, limited to residential zoning districts, which allows professionally designed and lettered signs of a size large enough to include directional signs. In addition, we might find a way to qualify the sign by the materials made (thereby excluding most flimsy signs sited by the attorney and council members).

We expect the parkway sign ordinance to return to the July meeting of the Oswego Planning Commission. If you would like to attend you can watch for the notice to appear on their website: <http://www.oswegoil.org/>