

THE CITY OF



OWATONNA

Planning and Zoning Department

August 17, 2020

The Citizens of Owatonna  
Owatonna, MN 55060

**RE: Political Signs during an election**

The City receives a number of questions, complaints, and concerns every time there is an election. With the 2020 General Election set to take place on November 3, 2020 we wanted to address some of the issues that consistently come up and how they will be addressed:

- 1) **Size Regulations:** Minnesota State Statutes section 211B.045 states that election / political signs posted by 46 days prior to the State Primary election through 10 days after the general election may not be regulated with regards to the size and number of signs. The City cannot enforce size, height or the number of signs on a property and will not be following up on these items.
- 2) **In Public Space:** The City's code of ordinances does not allow election or political signs to be located on public property, including within the public right of way. If signs are located on public property the City will remove the signs promptly. If signs are **clearly** located within the public right of way they will also be removed.
- 3) **Sign Content:** In 1971 (Cohen v. California) the US Supreme Court ruled that free speech can only be restricted under severe circumstances beyond offensiveness, further stating that a mere four letter word was not sufficient justification to allow states to restrict free speech. The City cannot restrict signs with potentially offensive content related to the wording on the sign.

Feel free to contact me at [greg.kruschke@ci.owatonna.mn.us](mailto:greg.kruschke@ci.owatonna.mn.us) or call at (507) 774-7317 if there are any further questions or if you require any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Greg Kruschke', is written over a light blue circular stamp.

Greg Kruschke, AICP  
Community Development Manager  
City of Owatonna