

REFERENCE TITLE: real estate signs; cities; counties

State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

HB 2108

Introduced by
Representative Grantham

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-500.46; AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-269.27; RELATING TO REAL ESTATE SIGNS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes,
3 is amended by adding section 9-500.46, to read:

4 9-500.46. Real estate signs; regulation; limit; definitions

5 A. A CITY OR TOWN MAY NOT PROHIBIT AN OWNER OF REAL PROPERTY OR THE
6 OWNER'S AGENT FROM DISPLAYING IN AN AUTHORIZED AREA A SIGN ADVERTISING THE
7 FOLLOWING:

8 1. THE PROPERTY IS FOR SALE, FOR RENT OR FOR LEASE BY THE OWNER OR
9 BY THE OWNER'S AGENT.

10 2. AN OPEN HOUSE.

11 3. DIRECTIONS TO THE PROPERTY.

12 4. THE OWNER'S OR AGENT'S NAME.

13 5. THE LEGAL NAME OF THE AGENT'S EMPLOYING BROKER OR THE NAME UNDER
14 WHICH THE BROKER IS DOING BUSINESS AS DESIGNATED ON THE EMPLOYING BROKER'S
15 LICENSE CERTIFICATE.

16 6. THE ADDRESS AND TELEPHONE NUMBER OF THE OWNER OR AGENT, OR BOTH.

17 B. THIS SECTION DOES NOT LIMIT A CITY OR TOWN FROM ENACTING AND
18 ENFORCING REASONABLE TIME, PLACE AND MANNER RESTRICTIONS ON SIGNS
19 ADVERTISING A PROPERTY FOR SALE, FOR RENT OR FOR LEASE, EXCEPT THAT THOSE
20 RESTRICTIONS MAY NOT DO ANY OF THE FOLLOWING:

21 1. LIMIT THE SIZE OF A SIGN OR SIGN RIDER TO LESS THAN THE INDUSTRY
22 STANDARD SIZE.

23 2. RESTRICT THE LOCATION OF A SIGN WITHIN AN AUTHORIZED AREA IF THE
24 SIGN IS LOCATED IN PLAIN VIEW OF THE PUBLIC AND DOES NOT ADVERSELY AFFECT
25 PUBLIC HEALTH, SAFETY OR WELFARE.

26 3. LIMIT THE DURATION OF DISPLAY OF A SIGN TO LESS THAN THE PERIOD
27 OF TIME BEGINNING ON THE DATE THAT THE PROPERTY IS OFFERED FOR SALE, FOR
28 RENT OR FOR LEASE AND ENDING ON THE DATE THAT IS SEVEN CALENDAR DAYS AFTER
29 THE DATE OF THE CLOSING ON A SALES AGREEMENT OR EXECUTION OF A RENTAL OR
30 LEASE AGREEMENT.

31 C. THIS SECTION DOES NOT LIMIT A CITY OR TOWN FROM ENACTING AND
32 ENFORCING REASONABLE TIME, PLACE AND MANNER RESTRICTIONS ON OPEN HOUSE AND
33 DIRECTIONAL SIGNS EXCEPT THAT THE RESTRICTIONS MAY NOT DO ANY OF THE
34 FOLLOWING:

35 1. RESTRICT THE TYPE OF SIGN.

36 2. LIMIT THE NUMBER OF SIGNS THAT MAY BE DISPLAYED AT ONE TIME
37 WITHIN AN AUTHORIZED AREA.

38 D. FOR THE PURPOSES OF THIS SECTION:

39 1. "AUTHORIZED AREA" MEANS AN OWNER'S REAL PROPERTY OR REAL
40 PROPERTY OWNED BY ANOTHER PERSON WITH THAT PERSON'S CONSENT AND AN AREA
41 WITHIN A PUBLIC OR PRIVATE RIGHT-OF-WAY.

42 2. "INDUSTRY STANDARD SIZE" MEANS:

43 (a) FOR A REAL ESTATE SIGN, EIGHTEEN INCHES BY TWENTY-FOUR INCHES.

44 (b) FOR A REAL ESTATE SIGN RIDER, SIX INCHES BY TWENTY-FOUR INCHES.

1 Sec. 2. Title 11, chapter 2, article 4, Arizona Revised Statutes,
2 is amended by adding section 11-269.27, to read:

3 11-269.27. Real estate signs; regulation; limit; definitions

4 A. A COUNTY MAY NOT PROHIBIT AN OWNER OF REAL PROPERTY OR THE
5 OWNER'S AGENT FROM DISPLAYING IN AN AUTHORIZED AREA A SIGN ADVERTISING THE
6 FOLLOWING:

7 1. THE PROPERTY IS FOR SALE, FOR RENT OR FOR LEASE BY THE OWNER OR
8 BY THE OWNER'S AGENT.

9 2. AN OPEN HOUSE.

10 3. DIRECTIONS TO THE PROPERTY.

11 4. THE OWNER'S OR AGENT'S NAME.

12 5. THE LEGAL NAME OF THE AGENT'S EMPLOYING BROKER OR THE NAME UNDER
13 WHICH THE BROKER IS DOING BUSINESS AS DESIGNATED ON THE EMPLOYING BROKER'S
14 LICENSE CERTIFICATE.

15 6. THE ADDRESS AND TELEPHONE NUMBER OF THE OWNER OR AGENT, OR BOTH.

16 B. THIS SECTION DOES NOT LIMIT A COUNTY FROM ENACTING AND ENFORCING
17 REASONABLE TIME, PLACE AND MANNER RESTRICTIONS ON SIGNS ADVERTISING A
18 PROPERTY FOR SALE, FOR RENT OR FOR LEASE, EXCEPT THAT THOSE RESTRICTIONS
19 MAY NOT DO ANY OF THE FOLLOWING:

20 1. LIMIT THE SIZE OF A SIGN OR SIGN RIDER TO LESS THAN THE INDUSTRY
21 STANDARD SIZE.

22 2. RESTRICT THE LOCATION OF A SIGN WITHIN AN AUTHORIZED AREA IF THE
23 SIGN IS LOCATED IN PLAIN VIEW OF THE PUBLIC AND DOES NOT ADVERSELY AFFECT
24 PUBLIC HEALTH, SAFETY OR WELFARE.

25 3. LIMIT THE DURATION OF DISPLAY OF A SIGN TO LESS THAN THE PERIOD
26 OF TIME BEGINNING ON THE DATE THAT THE PROPERTY IS OFFERED FOR SALE, FOR
27 RENT OR FOR LEASE AND ENDING ON THE DATE THAT IS SEVEN CALENDAR DAYS AFTER
28 THE DATE OF THE CLOSING ON A SALES AGREEMENT OR EXECUTION OF A RENTAL OR
29 LEASE AGREEMENT.

30 C. THIS SECTION DOES NOT LIMIT A COUNTY FROM ENACTING AND ENFORCING
31 REASONABLE TIME, PLACE AND MANNER RESTRICTIONS ON OPEN HOUSE AND
32 DIRECTIONAL SIGNS EXCEPT THAT THE RESTRICTIONS MAY NOT DO ANY OF THE
33 FOLLOWING:

34 1. RESTRICT THE TYPE OF SIGN.

35 2. LIMIT THE NUMBER OF SIGNS THAT MAY BE DISPLAYED AT ONE TIME
36 WITHIN AN AUTHORIZED AREA.

37 D. FOR THE PURPOSES OF THIS SECTION:

38 1. "AUTHORIZED AREA" MEANS AN OWNER'S REAL PROPERTY OR REAL
39 PROPERTY OWNED BY ANOTHER PERSON WITH THAT PERSON'S CONSENT AND AN AREA
40 WITHIN A PUBLIC OR PRIVATE RIGHT-OF-WAY.

41 2. "INDUSTRY STANDARD SIZE" MEANS:

42 (a) FOR A REAL ESTATE SIGN, EIGHTEEN INCHES BY TWENTY-FOUR INCHES.

43 (b) FOR A REAL ESTATE SIGN RIDER, SIX INCHES BY TWENTY-FOUR INCHES.