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## TOWN LOOKSTO REGULATE POLITICAL SIGNAGE New Southold bill curbs display size, time, placement

By Tara Smith/tara.smith@newsday.com

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tara.smith@newsday.com

The Town of Southold might be at its breaking point with political signs that sprout up on the side of the road, in medians and in front yards.

Southold, bracing for elections this fall, is taking aim at the "unsightly" visuals through a new proposal that would limit size, placement and timing for political signs.

The town board is weighing a new bill to reduce "excessive" displays and postelection litter, but the measure has reignited the debate over free speech and raised new questions about how it will be enforced. Democrats have held a majority on the five-member board since 2023, their first in more than a decade.

Town attorney Paul DeChance said the proposal comes in response to the "proliferation" of political signage during the last election cycle - including a flashing LED sign in the town's right of way on Route 48 - and traditional cardboard signs placed on town properties.

"The parties and the candidates don't come back and get all of their signs, and we are using labor hours of highway and our own code enforcement to collect them," DeChance said in an interview. "The board had enough of it."

Southold's proposal limits political signs to 32 square feet on private residential, commercial and industrial properties and bars them on town properties, including parks, beaches and rights of way, according to a draft of the bill.

No electronic or flashing signs are allowed, and signs must be fastened securely so they don't blow away.

Under the proposal, political signs would be banned before Labor Day and must be removed within 10 days after an election. Individual candidates or political parties must pay security deposits for permission to put up signs. Deposits paid by party committees would cover all candidates associated with their slates, according to the bill.

DeChance said the proposal may be tweaked to prohibit signs more than 60 days before an election, rather than specify Labor Day, to account for primaries and special elections. The cost of security deposit was not set, but DeChance said the town is considering a \$100 fee.

Residents pushed back against the bill at a recent public hearing, with many saying the town shouldn't regulate political speech.

Larry Tuthill, a former town Democratic Party leader, raised concerns about how the rules would be enforced.

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"Democracy is not pretty," he said at a hearing on June 24. "We have to put up with speech we don't agree with. We have to put up with a lot of things that we don't agree with in a democracy. And I agree with you, there's too many signs in the fall, but you, the government, should not be regulating political speech."

Southold Supervisor Al Krupski, a Democrat, said the town isn't looking to limit political commentary or free speech.

"You can't infringe on people's right of free speech, of course we don't want to do that," Krupski said in an interview. "But how do we get people to be responsible, not put them where they don't belong and pick them up afterward?"

Krupski also said wire frames left behind from the signs can become "flying projectiles" and pose safety risks to town crews mowing the side of the road. Islandwide issue Regulations on political signs, including how large they can be and when they must be taken down, aren't clear. In New York, it's up to individual municipalities to establish their own rules.

Krupski, a former Suffolk County legislator whose district included Southold and Riverhead, had to abide by similar rules during previous campaigns in the Riverhead area.

Riverhead Town code also limits political signs to 32 square feet and requires their removal two weeks after Election Day. Candidates pay \$200 security bonds, according to the town's law.

Brookhaven also bans signs on town property and requires their removal 15 days after an election.

In Oyster Bay Town, political signs can be displayed no sooner than 120 days before the election and must also be removed 15 days after. Political move? Some critics of the measure say the regulations could violate the First Amendment.

"The people of Southold might want to think about 'How far do we want our government to tell us what to do with our private property?'" said Christopher Malone, a political science professor and associate provost at Farmingdale State College.

Malone said the legislation is a "slippery slope" and could be challenged in court.

He drew comparisons to the 2010 Supreme Court ruling in *Citizens United v. Federal Election Commission*, which removed restrictions on independent political funding by corporations and unions. The decision said political spending was a form of protected free speech.

"If money is free speech, then a sign is certainly free speech," Malone said. "If you can donate at any time during a campaign, then why can't you put a sign on your lawn at any time during a campaign?"

The town board is expected to vote on the new rules on July 22, DeChance said.

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The leaders of Southold's Republican and Democratic committees expressed concern about the proposal.

Southold GOP chair Peter Ganley said the town shouldn't be "policing" the signs, though he conceded most people want to see less political messaging.

Ganley said the code is an "honest effort to try and keep the town beautiful," but not well-thought out.

"A shorter political sign season is advantageous for incumbents with larger name ID," he said. Two incumbent Republicans are defending seats in Southold, compared with five incumbent Democrats running in various town elections. "Obviously, it's a marginal bump, but it is a bump for them," Ganley said.

Kathryn Casey Quigley, chair of the town Democratic committee, declined to speak about the proposal and deferred to Sandra Benedetto, a committee member and spokeswoman.

Benedetto said the committee supports the parameters so long as they don't restrict free speech but wants clarity about who is responsible for the deposits. She said theft and vandalism of signs is a bigger issue, especially during contentious national election cycles.

"We're all for following the rules," she said. "We had an election; whoever won, won. And we need to pull up our signs." "It's tacky" In Southold, Benedetto said both party committees historically have cleaned up signs in a timely fashion after elections.

"We have a couple of random outliers probably on both sides, but there's a general respect for the takedown of signs," she said.

Some residents said the rules are overdue.

Rebekah Lessard, who grew up in Mattituck, said political lawn signs in the Town of Southold can become "over the top."

"A lot of times, they're into December and the election is done. Just go and pick them up," Lessard said in an interview.

"Everybody's entitled to their free speech and to have their say, but by the same token, we don't need it collecting dust and littering," Pam Smith, of Southold, said during a recent interview on Mattituck's Love Lane.

She likened the lingering political detritus after Election Day to leaving Christmas lights up year-round.

"You can do it," she said. "But it's tacky."

Newsday's Viyang Hao,

Carl MacGowan and Joseph Ostapiuk contributed to this story.

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WHAT NEWSDAY

FOUND

The Town of Southold

is weighing a measure to limit the proliferation and size of political lawn signs.

The bill would require political parties to pay security deposits for signs, ban signs from going up before Labor Day and require signs to be removed within 10 days after an election.

Some critics of the measure say the bill will be difficult to enforce and may infringe on political speech.

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