

The election is over, shouldn't that political yard sign be taken down?

The City's Clerk, Inspection Services and Aldermen get this question frequently. It seems to make sense; the election is over, we should clean up and move on when it is done.

However, election signs are political speech. Freedom of speech is given protection from government interference by the First Amendment to the U.S. Constitution and the Wisconsin Constitution and political speech is the ultimate speech form. The U.S. Supreme Court stated "Discussion of public issues and debate on the qualifications of candidates are integral to the operation of the system of government established by our Constitution. The First Amendment affords the broadest protection to such political expression in order 'to assure (the) unfettered interchange of ideas for the bringing about of political and social changes desired by the people.'" *Buckley v. Valeo* (1976). Going beyond election signs, the Court has made it clear that regulating signs based on their content is a First Amendment violation. *Reed v. Town of Gilbert* (2015).

In other words, if the City has to read the sign to determine which rule applies to it, that rule is invalid. The City's sign regulations comply with these legal principles and therefore the City does not require temporary sign removal based on the sign's message.

The City's temporary sign code can be found in Chapter 15.16.170 of our online Municipal Code.

[City of Brookfield Temporary Sign Code](#)