



TERRY E. BRANSTAD, GOVERNOR

IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD
KAY WILLIAMS, EXECUTIVE DIRECTOR

March 13, 1998

RECEIVED
Iowa Co. Iowa

MAR 16 1998

Tom Silvestro
COUNTY AUDITOR

Derek Maurer
328 S. Governor Street
Iowa City, Iowa 52240

Dear Mr. Maurer:

In response to your March 10 letter, incidents of placement of signs on corporate property should be reported to our office with some supporting evidence - i.e., the sign is on property at 123 Main Street, owned and occupied by the XYZ Corporation. Our office will then pursue removal of the signs and sanctions by the Board. We are charged with the enforcement of section 56.14 in which these provisions are found.

The above example is clear. Less clear are the instances of signs on property that may be owned by a corporation, but occupied by an individual, or property owned by an individual and occupied by a corporation. In each of these instances sign placement is legal if the written permission of the individual has been obtained. There is no legal provision requiring the written permission to be filed with anyone - but it should be available upon demand. When asked in advance, I recommend that a copy of the permission letter be voluntarily filed with the County Auditor or our office.

You can see that some research is required of a member of the public before reporting an alleged violation to be sure that the facts are correct.

A property with multiple occupants should obtain permission of all occupants before a sign is placed.

The storage of campaign signs on corporate property would be a technical violation of section 56.15, which prohibits a corporation from contributing any money, labor, property or thing of value to a candidate's committee. Proving it might be difficult and even require trespassing to make the case. We would discourage pursuing this unless you are willing to provide an Affidavit.

We try to properly enforce the above provisions, but you can easily see that we must also be careful not to make false accusations. On the other hand, there are many who are not aware of the restrictions of law, and when notified, they generally quickly comply.

Sincerely,

Kay Williams

KAY WILLIAMS
Executive Director

cc: Johnson County Auditor's Office