



TOWN OF FALMOUTH

ORDINANCE COMMITTEE

2026.08.04 ORDINANCE COMMITTEE MEETING PACKET

04:00 PM



TOWN OF FALMOUTH
2026.08.04 ORDINANCE COMMITTEE MEETING AGENDA
04:00 PM

Roll Call and Approve Minutes

Approve Minutes from 5.5.26

Attachment: [2026.05.05 Ordinance Committee.pdf](#)

- 1. Item 1- Public Comment Period.**
- 2. Item 2 - Review Work Plan Assignments**
- 3. Item 3- Review Temporary Sign Ordinance**
Review 1st amendment rules and redlines.

Attachment: [1st Amendment Summary.pdf](#)

Attachment: [Temporary Signs - Redlines 7.30.26.docx](#)

Adjourn

Ordinance Committee Minutes May 5th, 2026

Committee Members Present: Councilor LaFond, Councilor Diaz,

Committee Members Absent: Councilor Mahoney

Others Present: Amanda Methot-Vigue, Policy Analyst, Nathan Poore, Town Manager, Maggie Edson, Assistant Town Manager, Ethan Croce, Community Development Director, Jeff Buxton, Public Works Director, Councilor Tracey

The meeting began at 4:30 pm.

1. Roll Call

2. Minutes

Motion by Councilor LeFond, 2nd by Councilor Diaz, motion carried.

3. Public Comment

No comments from the public

4. Parking Amendment

Town staff gave background on current policing issues on Clearwater Drive. Staff also gave background on the Tide Water development easement as well as the public private ownership agreement regarding parking and sidewalks. The committee discussed the camping definition as well as the potential loopholes in the language.

Staff gave an update on the schedule for passage of the ordinance with the election coming in June. Introduction would be June 1, Public Hearing would be July 13, Vote would be July 23.

Councilor LaFond made a motion to approve the redline language out of committee and put forth to the full Council. Councilor Diaz 2nd. Motion Passed

5. Temporary Sign Ordinance

Councilor Diaz asked staff to provide real world experience with ordinance as written. Staff provided background on sign sweeps and the out of compliance issues they most commonly see. Committee and staff discussed proposal from Councilor Morton. Committee and staff discussed first amendment cases. Committee discussed different time place manner restrictions they could add to the ordinance. Committee discussed enforcement and penalties. Next steps are to draft time, place, and manner restrictions.

6. Solid Waste Discussion

Committee discussed options for solid waste such as taxes and subscriptions. Committee wanted data on typical bag use per household.

7. Adjourn

Meeting adjourned at 6:00pm

There are 3 major cases that dictate 1st amendment speech in relation to signs. Below is a synopsis of each with guiding principals to determine amendment language.

Reed v. Gilbert (2015)

Good News Church was renting a new space and put signs around town letting people know the time and location of the services. The Town of Gilbert has a sign ordinance and issued a notice to Pastor Reed regarding the signs. The pastor and church sued under 1st amendment violation to free speech.

The Town of Gilbert prohibits the display of outdoor signs without a permit, but had a long list of exemptions from requiring a permit.

The court found that the government has no power to restrict expression because of its message, ideas, subject matter, or content. Content based laws are presumptively unconstitutional and may only be justified if the government proves that the law is narrowly tailored to serve a compelling state interest.

The long list of exemptions was deemed to be content based because they discussed everything from traffic signs to ideological signs and political signs. The Court stated that the remainder of their restrictions could stay in place such as where in town, how large the sign can be, and how long they can be out, but they could not create exempt categories of sign based on content.

Austin Texas v. Reagan Advertising

The case dealt with off Premise vs on Premise Signs. Reagan Advertising put up a billboard that was not near the place of business it was advertising and the billboard was illuminated. The City of Austin had an ordinance stating that off premise signs cannot be illuminated but on-premise signs can be.

The court found that off premise signs can be regulated differently, but still need to be content neutral, (Time, Place, Manner restrictions only). The regulation did not discuss content just whether the sign could be illuminated or not, therefore the regulation was able to stand.

Commercial speech – (Hudson Gas v. Public Service Commission)

- Commercial speech does not have as much 1st A protection as personal or political speech
- If commercial speech is going to be regulated differently it must pass the Hudson Test
 - Speech must not be fraudulent
 - Government must have a substantial interest in regulating

- Regulation must directly advance that interest
- The regulation must be narrowly tailored to serve that interest

The following attachment is not a PDF, so a link to the native file format is being provided instead:

[Temporary Signs - Redlines 7.30.26.docx \(LINK\)](#)