

WILL: Warns Mequon that attempts to enforce sign ordinance violate first amendment

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The News: The Wisconsin Institute for Law & Liberty (WILL) issued [a letter](#) to Mequon Mayor John Wirth and City Administrator William Jones warning the City that attempts to enforce a sign ordinance against a group of school board recall organizers violates the First Amendment. On at least four occasions, Mequon police officers demanded that recall petitioners stop displaying a sign advertising their efforts on public property. On one such occasion, an officer told WILL's client that she would be issued a citation if she displayed the sign again. The City's [ordinance](#) violates the Constitution by regulating signs based upon their content because the City allows other types of signs

The Quote: WILL Deputy Counsel, Dan Lennington, said, "Displaying a sign to collect signatures in a public space is at the heart of the protections guaranteed by the First Amendment. These brave parents are simply trying to exercise their constitutional rights and recall school board members. Mequon can either back down, or they can see us in federal court next week."

Background: A group of citizens organizing recall elections for members of the Mequon-Thiensville School District (MTSD) have been out in their community with a banner to gather signatures and provide information. The banner read "RecallMTSD.com," to promote the effort. The goal of the recall election is to restore educational excellence to MTSD. WILL's client and other parents supporting the recall also oppose Critical Race Theory and mask mandates.

On at least four occasions, Mequon police officers confronted WILL's client and told her the sign violated a City sign ordinance and that citations would be issued in the future. The City of Mequon has a [sign ordinance](#) that prohibits "Signs, cards, banners, pictures, handbills, sign posters, advertising, or notice of any kind, on any curb, street-walk, public thoroughfare surface, fence, board, barrel, box, case,

railing, pole, post, bridge, tree, barricade, material, bridge fender, dock, pile, building or structure of any kind on public ground, public waterway or upon any structure projecting over any public thoroughfare, public ground or public waterway within the city except by City of Mequon authorization.”

The City’s sign ordinance regulates various types of signs differently and makes determinations as to whether or not City approval is required, based solely upon the content of that sign. This is unconstitutional and amounts to a violation of the First Amendment.

WILL is requesting a response by Monday, August 9, or the City may face a lawsuit.
Read More:

- [WILL’s Letter to the City of Mequon](#), August 6, 2021