



SANIBEL CITY COUNCIL TO CONSIDER LIMITING OFF-ISLAND ADVERTISING FOR SPECIAL EVENTS

At its September 10 meeting, City Council will consider two pending ordinance proposals:

1. Ordinance 18-008, prohibiting the sale or distribution of plastic straws on Sanibel;
2. Ordinance 18-009, effecting changes to the special event permitting procedure, including prohibiting off-island advertising for in-season (January through March) events.

COTI supports both ordinance proposals.

Opposition to the plastic straw ordinance is unlikely. Most Island restaurants now use paper straws, and, thus far, no challenges to the proposal have surfaced.

Substantial opposition to the prohibition of special event off-island advertising may arise. In order for the measure to pass as written, COTI recommends that residents who support it engage with Council and voice their opinions.

Most seasonal special events are fundraisers for worthy causes. Many COTI members, friends and neighbors contribute time and energy to support these endeavors. That said, these events bring with them significant traffic problems that interfere with the daily lives of Sanibel residents.

The Sanibel Plan permits limiting the number of Island attractions, to prevent traffic congestion generated by vehicles originating from off-island locations. The Plan also restricts "the issuance of special event permits to only those events that are clearly in the best interest of the entire City"

The benefits to event organizers and the charities that they support should not

compromise the rights and needs of residents. Sanibel special events advertising should be directed to Sanibel residents and visitors. If off-island attendees are required for the success of any event, organizers should consider an off-island venue.

The proposed limitation is not an unconstitutional constraint on freedom of speech. Advertising to increase attendance at an event where goods or services are sold is by definition commercial speech. The U.S. Supreme Court has held that municipalities may impose limitations on commercial speech, if the limitations advance a substantial governmental interest and are not "more extensive than is necessary." Other courts have held that traffic regulation constitutes a substantial governmental interest. The proposed restriction, limited only to permitted special events, applicable only to off-island advertising, and for only three months, is not "more extensive than is necessary."

We ask members who agree with COTI's position to communicate to City Council their support for the ordinance.

Email addresses for the members of City Council are:

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Below is a template for your consideration, to assist as you prepare your own letter.

Dear [City Council Member]:

I understand that you will consider a proposal to restrict off-island advertising of special events that occur during season. I wholeheartedly support this measure.

Traffic congestion remains a perennial and intractable challenge for Sanibel. Special events raise money for good causes, but good causes are insufficient justification for soliciting off-island patrons merely to increase sales.

Sanibel residents have a right to freedom of movement within their community. Passing this ordinance constitutes an important step toward balancing the needs of fundraising activities with the rights of residents move freely in their own community.

Please support proposed ordinance 18-009, which includes a restriction on off-island advertising for special events during the season.

Direct questions or comments regarding special event off-island advertising to coti@coti.org. COTI welcomes your opinion.

Mike Miller
COTI President

