

The Record · Guide

Where your campaign cannot go in Burbank

Burbank Republican Party · September 22, 2026

Every candidate on the November 3, 2026 ballot — three City Council seats, City Clerk, City Treasurer, and two Board of Education trustee areas — is bound by the same short list of places a campaign may not go. Two of the rules on that list are crimes, not paperwork.

Almost every piece of campaign advice tells a candidate where to go. This is the opposite list. It is shorter than most people expect, and the penalties are heavier than most people expect.

What follows applies to anyone seeking a Burbank office this November, whether the seat is on the City Council, in the City Clerk's or City Treasurer's office, or on the Burbank Unified School District Board of Education. Two of the six rules bite hardest on people who already hold office.

1**Within one hundred feet of voting**

Polling places, vote centers, ballot drop boxes, curbside voting, and the elections official's office. A misdemeanor. (*Elec. Code § 18370; Elec. Code § 319.5*)

2**On public property and in the public right-of-way**

Placing any object, temporary or permanent, in a city right-of-way is an unlawful encroachment. (*Burbank Mun. Code §§ 7-3-701, 7-3-701.1*)

3**Anywhere paid for with public money**

For a Board of Education candidate this is a misdemeanor or a felony; for city officers and employees it is a civil penalty. (*Educ. Code § 7054; Gov. Code § 8314*)

4**On postal property**

Campaigning for election to any public office is prohibited outright — but the public-looking sidewalk out front is carved out. (*39 C.F.R. § 232.1*)

5**On private property without the owner's permission**

Consent is the whole rule — and neither an association nor a landlord may ban political signs outright. (*Civ. Code § 4710; Civ. Code § 1940.4*)

6**On a school campus after being asked to leave**

A separate crime, with a seven-day bar on returning — and a warning the school must give you first. (*Pen. Code § 626.8*)

One: within one hundred feet of voting

It is a misdemeanor to do any electioneering within one hundred feet of a polling place, a vote center, an elections official's office, a satellite location, or any outdoor site where a voter may cast or drop off a ballot (*Elec. Code § 18370*). Electioneering is defined broadly: the visible display or audible dissemination of anything advocating for or against a candidate or measure, expressly including buttons, hats, pens, shirts, signs and stickers (*Elec. Code § 319.5*).

Two details matter and are easy to miss. First, the hundred feet is measured from the entrance to the building, or from the outdoor site itself — not from the edge of the parking lot. Second, a separate subdivision reaches a voter standing in line *wherever the line goes*: no soliciting a vote, no talking to a voter about marking a ballot, and no

visible or audible electioneering within the immediate vicinity of a voter waiting to cast or drop off a ballot.

The line is not a safe harbor. It moves the rule with it.

Two: public property and the public right-of-way

The City of Burbank's published election signage guidance states that candidates may not place election signage on any public property, including the public right-of-way, and may not place signage on private property without the owner's permission. The ordinance underneath that guidance is broader than a sign rule (

Burbank Mun. Code §§ 7-3-701, 7-3-701.1).

The code defines "encroach" to mean *any structure or object of any kind or character, temporary or permanent in nature*, extending on, in, over or under city property — and it names streets, alleys, easements, sidewalks and public rights of way. A yard sign is an object. A temporary one is still an object. Failure to remove an unauthorized encroachment within thirty days of notice is itself a misdemeanor, and the city may remove it and bill the person responsible.

Who actually owns the parkway

This is the part almost everyone gets wrong, in both directions. In Burbank the homeowner generally **does** own the parkway land — that strip between the sidewalk and the curb. The city says so itself: it controls the right-of-way between the curb and the private property line for street, sidewalk and utility purposes, but it does not own that land. That is also why the property owner, not the city, waters and maintains the parkway tree.

Owning the ground and controlling what may be placed on it are two different things.

What a homeowner cannot do is consent away the city's control of that strip. The encroachment ordinance reaches easements and public rights-of-way by its own terms, so title underneath does not decide it; the exemptions are a legal sanction, a written agreement with the city, or a valid permit. A sign a few feet back, on the lawn on the house side of the sidewalk, is an ordinary sign on private property with the owner's permission.

Three: anywhere paid for with public money

This rule carries the heaviest penalty, and it is the one most often broken by accident. Which statute applies depends on which office the candidate is seeking, and the two do not overlap.

For school candidates, no school district funds, services, supplies, or equipment may be used to urge the support or defeat of a candidate — and the statute names candidates for the district's own governing board explicitly (***Educ. Code § 7054***). A violation is a misdemeanor or a felony: up to a year in county jail and a fine of up to one thousand dollars, or, as a felony, imprisonment for sixteen months, or two or three years.

The statute reaches **resources**, not merely district land. A district laptop used at a kitchen table on a Saturday is still a district resource. So is a district email account, a copier, letterhead, a phone, a staff mailbox, a classroom, a website, and a district social media account.

Who this rule actually binds. The public-resource statutes reach people who hold a public position — officers, appointees, employees and consultants. A challenger who holds no public office and is not a public employee is not using public resources in the first place, and is not the target of these sections.

That is why they fall hardest on incumbents and on district and city staff, and why a sitting officeholder should be the most careful person in any campaign.

The public-resource rules, who they reach, and what they cost

What is prohibited	Authority	Exposure
School district funds, services, supplies, or equipment used to support or defeat a candidate	<i>Educ. Code § 7054</i>	Misdemeanor or felony; up to one year and one thousand dollars, or sixteen months, two, or three years
Public resources used for campaign activity by an officer, appointee, employee, or consultant	<i>Gov. Code § 8314</i>	Civil penalty up to one thousand dollars per day, plus three times the value used
Local agency funds spent to support or oppose a candidate — city agencies only, school districts are expressly excluded	<i>Gov. Code § 54964</i>	Unlawful expenditure
A newsletter or mass mailing sent at public expense; a mass mailing is over two hundred substantially similar pieces	<i>Gov. Code §§ 89001, 82041.5</i>	Political Reform Act enforcement
Employee political activity during working hours or on district premises, where the governing body has adopted rules	<i>Educ. Code § 7055</i>	Whatever the adopted rule provides; the section itself sets no penalty

A school is not simply closed to a campaign. Under the Civic Center Act every public school is a civic center where groups formed for political activity may meet (*Educ. Code § 38130*). What a campaign cannot do is arrive without a permit, or obtain access an opponent is denied. Burbank Unified School District's own facility rules add that where facilities are loaned without a rental fee there may be no admission charge, no soliciting of funds, and no sale of literature — which rules out a fundraiser even in a properly permitted room.

Four: postal property

Campaigning for election to any public office is prohibited on postal property, alongside soliciting contributions and collecting signatures on petitions (*39 C.F.R. § 232.1*). The rule reaches all real property under the charge and control of the Postal Service, which includes the parking lot and the lobby. Leafleting and demonstrating inside the lobby are separately prohibited.

There is one carve-out worth knowing, and it is the practically useful part of the whole regulation. The campaigning prohibition does **not** apply to sidewalks along the street frontage of postal property that are not physically distinguishable from the adjacent

public sidewalk, or to paved areas next to such a sidewalk that look the same. The ordinary-looking public sidewalk out front is generally open; the moment the sidewalk becomes visibly postal, the rule applies again.

Five: private property without permission

Permission from the owner is the entire rule, and a campaign that has it is on solid ground. What is worth knowing is how little a homeowners association or a landlord can do once an owner or a tenant has said yes — and the two have different limits.

An association's governing documents may not prohibit noncommercial signs, posters, flags or banners in a member's separate interest. The association may cap a sign or poster at nine square feet and a flag or banner at fifteen, and may insist the sign be paper, cardboard, cloth, plastic or fabric rather than lights or landscaping — but it may not ban the category (**Civ. Code § 4710**).

A landlord may not prohibit a tenant from displaying political signs, but the tenant limit is **six** square feet, not nine, and the landlord may set a reasonable posting window if no local ordinance sets one — a window that must begin at least ninety days before the election and run at least fifteen days after (**Civ. Code § 1940.4**). A campaign handing out one oversized sign design to homeowners and renters alike will be over the line at every rental.

Six: a campus after being asked to leave

It is a misdemeanor to come onto school grounds, or the street, sidewalk, or public way adjacent to them, without lawful business, where a person's presence or conduct interferes with the peaceful conduct of the school — and then to remain after being asked to leave, or to return within seven days (**Pen. Code § 626.8**). A first conviction carries a fine of up to five hundred dollars, up to six months in county jail, or both. A second carries a mandatory minimum of ten days.

Two protections sit inside the same statute. The official asking you to leave must tell you that returning within seven days is a crime — that warning is a required element, not a courtesy. And the section states on its face that it may not be used to impinge on the lawful exercise of constitutionally protected rights of speech or assembly.

Three traps worth knowing

A party endorsement can convert a nonpartisan race into a partisan one

Burbank's municipal and school board offices are nonpartisan, and the Hatch Act does not prohibit a covered employee from running in a nonpartisan election. But the United States Office of Special Counsel takes the position that an election designated nonpartisan under state or local law may still be treated as partisan for Hatch Act purposes — for instance where a candidate seeks and advertises a political party's endorsement, holds himself out as having party support, or receives party support in the form of funding, supplies, volunteers, publications, or use of party headquarters.

That matters to exactly one kind of candidate: someone whose own employment is federally funded, or who is a federal employee. For that candidate an endorsement is not a free good, and the question is worth asking of counsel before it is accepted rather than after.

The public-resource rules travel

Every one of those statutes is written around resources rather than around buildings. An incumbent who forwards a campaign message from a city or district email account has used a public resource, at home, on a weekend, in thirty seconds. The mass-mailing prohibition exists specifically to remove some of the advantage an officeholder enjoys over a challenger.

The hundred-foot line is not only about Election Day

Vote centers open well before November 3, ballot drop boxes stand for weeks, and the elections official's office is covered whenever a voter may be casting a ballot there. A

campaign that thinks of the hundred feet as a single Tuesday problem will walk into it in October.

Six rules. Read the actual words.

Voting sites, public property, public money, postal property, private property without consent, and a campus you have been asked to leave.

This is a plain-language guide, not legal advice. Statutory text was transcribed from the official sources on September 22, 2026. Laws are amended, and how any of this applies to a particular set of facts is a question for a lawyer.

Our team's standing suggestion to every candidate, of any party or none: call the Burbank City Clerk's Office before the first sign goes in the ground, not after the first complaint arrives.

Respectfully,

The Burbank Republican Party

Authorities

Each opens in full on this page.

1. ***Elec. Code § 18370*** — electioneering within one hundred feet.
2. ***Elec. Code § 319.5*** — what counts as electioneering.
3. ***Burbank Mun. Code §§ 7-3-701 to 7-3-706*** — encroachment on city property.
4. ***Educ. Code § 7054*** — school district resources.
5. ***Educ. Code § 7055*** — rules on political activity.
6. ***Educ. Code § 38130*** — the Civic Center Act.

7. **Gov. Code § 8314** — use of public resources.
8. **Gov. Code § 54964** — local agency funds.
9. **Gov. Code §§ 89001, 82041.5** — mass mailing at public expense.
10. **39 C.F.R. § 232.1** — conduct on postal property.
11. **Civ. Code § 4710** — association signs.
12. **Civ. Code § 1940.4** — tenant political signs.
13. **Pen. Code § 626.8** — presence on school grounds.

Also consulted, and quoted rather than reproduced: the City of Burbank’s published election signage guidance and Parkway Tree Program pages; the Burbank City Clerk’s November 3, 2026 General Municipal Election notice; Burbank Unified School District’s rules on use of school facilities; and the United States Office of Special Counsel’s Hatch Act guidance.