

REPEALED
BU 169

ORDINANCE NO: 64

AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION AND MAINTENANCE OF OUTDOOR ADVERTISING, STRUCTURES OR BILLBOARDS IN THE CITY OF BROOKINGS, OREGON; LICENSING AND REGULATING THE BUSINESS OR OCCUPATION OF OUTDOOR ADVERTISING; PROVIDING FOR ISSUANCE OF PERMITS AND FEES THEREFORE; PROVIDING PENALTIES FOR VIOLATION AND DECLARING AN EMERGENCY.

The City of Brookings, Oregon does ordain as follows:

Section 1. Definitions:

(a) Within the meaning of this ordinance any structure erected, maintained or used for the purpose of posting or painting advertisements or signs thereon or whereon any poster, painting, advertising device or other advertising of any kind or description whatsoever may be placed, posted, painted or fastened, whether illuminated or not, shall be held to be an outdoor advertising structure or billboard; provided however this definition shall not be held to include any board, sign or surface used to display official notices issued by Courts or public officers or posted by public officers in the performance of official duties, nor shall it be held to include or apply to any advertising structure or sign not exceeding six (6) feet in length and four (4) feet in height or its equivalent in area used exclusively to advertise the sale or lease of property or to advertise the business conducted or goods sold upon the premises where such advertising structure or sign is located.

(b) The term " Outdoor Advertising Business " shall mean the business or occupation of placing, erecting or maintaining advertising structures.

Section 2. License:

No person, firm or corporation shall engage in or carry on the business or occupation of out door advertising without first having secured from the City of Brookings a license to so engage in or carry out said business and paying to the City an annual fee of Twenty-five (\$25.00) Dollars for said license.

Section 3. Permits:

(a) No person, firm or corporation , who has secured a license to engage in or carry out, or on, the business or occupation of outdoor advertising as is hereinabove provided and set forth in Section 2, shall erect, construct, place or maintain any outdoor advertising structure in the City of Brookings without first having secured a written permit to do so from the Building Official of the City of Brookings, Oregon.

(b) Any person, firm or corporation, either as principal, agent or in any other capacity, desiring a permit to erect, construct, place or maintain any outdoor advertising structure or billboard, shall first file a written application therefore with the Building Official. Such application shall specify the dimension and type of construction, of said advertising structure, the location thereof and the name of the owner of the premises so located, together with a plot plan showing the relationship of the structure to abutting property lines, buildings, streets, highways and such further information as may be required by said Building Official.

(c) Written permission of the owner or lessee of the real property upon which such outdoor advertising structure is to be located shall be presented with the said application set forth and mentioned in subsection (b) hereinabove.

(d) In the event the aforesaid application shows that the erection, construction and maintenance of the proposed outdoor advertising structure or billboard is in accordance with all of the requirements therefore as set forth in this ordinance, the said Building Official shall issue a building permit to the said applicant upon the payment by said applicant of an application fee in the sum of Two (\$2.00) Dollars and this fee shall be paid each and every time the said applicant is granted a permit under this ordinance, either to erect, construct or maintain said outdoor advertising structure. The removal of any said outdoor advertising structure from one location to another within the City of Brookings shall only be made under the same conditions and provisions as is herein in this ordinance set forth and provided in the instance of its original construction and a permit for said removal to another location shall first be secured from the said Building Official and paid for before said structure shall be moved and relocated.

(e) The said permit fee of Two (\$2.00) Dollars set forth and provided in subsection (d) hereinabove shall be separate from and in addition to the said license fee set forth and provided in Section 2, hereinabove.

Section 4. Structural Requirements:

(a) All outdoor advertising structures or billboards with an advertising surface thereon in excess of Twenty-five (25) square feet, as the said structures and Billboards are erected upon the surface of the ground upon which they are erected, shall be constructed to withstand a wind pressure of twenty (20) pounds per square foot of exposed surface. The framework shall consist of posts or uprights not less than four (4) inches by six (6) inches in dimension, spaced not more than eight (8) feet apart and shall extend to the top of the structure. The bottom end of said posts and uprights shall be reinforced with suitable wedge-blocks or cross pieces and shall be set at least three (3) feet six (6) inches in the ground and the earth surrounding the same securely tamped into place. Each verticle post shall be braced with one two (2) inch by six (6) inch timber securely attached to each said post within two (2) feet of the top and the lower end of each said brace shall be securely festened to an anchor post not less than four (4) inches by six (6) inches by five (5) feet in dimension. Said anchor post or posts shall be set back of the verticle post a distance of at least one-half ($\frac{1}{2}$) of the total height of the structure above the ground and shall be suitably reinforced with cross pieces or wedge blocks and the earth around the same securely tamped into place. As an alternative; truss type tower bracing or structural frames with concrete or steel anchors and designed to withstand a wind pressure of twenty (20) pounds per square foot may be constructed.

(b) The advertising surface of all outdoor advertising structures or billboards shall be constructed of metal or other non combustible material. The posts or standards on which the said structure rests, and the ornamental mouldings, cornices, braces, pilasters or columns and lattice work may be of wood.

(c) The base line of all outdoor advertising structures or billboards shall be at least thirty-six (36) inches above the surface of the ground upon which the said structure is erected. The space below the base line shall be kept clear with the exception of the necessary upright supports, ornamental lattice work, base boards or ornamental columns.

(d) Every outdoor advertising structure or bill board erected, maintained or used within the corporate limits of the City of Brookings, Oregon, shall have displayed thereon a name plate or imprint designating the name of the person, firm or corporation owning, controlling, maintaining or using the same.

Section 5. Limitations:

No outdoor advertising structure or billboard shall be erected, placed or maintained in R1; R2; R3; or C1 Districts as such district or districts are defined in Ordinance No. 19 of the City of Brookings, this last said named ordinance no. 19 being the Zoning Ordinance of the City of Brookings, Oregon.

Section 6. Set Backs:

All outdoor advertising structures or billboards shall be set back at least twenty-five (25) feet from the property line of the premises upon which said structures or billboards are erected and maintained and no part or portion of said structure or billboard shall extend, towards any property line, beyond said set back.

Section 7. Maintenance of Structure and Billboard:

(a) All paper, cloth or advertising matter shall be securely fastened, attached or glued to any advertising structure and billboard and to the surface thereof and no such matter shall be allowed or permitted to hang loose therefrom.

(b) The premises upon which any advertising structure or billboard are located shall be, at all times, kept in a clean, orderly and sanitary condition and continuously be so maintained and all weeds, growing grass or vegetation at the base of said advertising structure or billboard shall at all times be kept cut down to a point below the said base line and all rubbish, waste or inflammable material shall be removed from said base line of said advertising structure or billboard immediately after it has been constructed and not thereafter be permitted to accumulate below said base line.

Section 8. Words, Phrase or Symbol Prohibited:

No outdoor advertising structure or billboard shall make use of the words " Stop", "Look", "Danger" or any other word, phrase or symbol which will stimulate official traffic signs or which may be intended or have the effect of directing the movement of traffic.

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Section 9. Validation:

If any section, sub-section, sentence or phrase of this ordinance is, for any reason, held to be unconstitutional, void or invalid, the validity of the remaining portion of this ordinance shall not be affected thereby, it being the intention of the Council of the City of Brookings, Oregon, in adopting and passing this ordinance that no portion thereof, or provision or regulation contained therein, shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision or regulation.

Section 10. Penalty:

Any person, firm or corporation violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than Two Hundred and Fifty (\$250.00) Dollars or by imprisonment in the City Jail of Brookings, for a period of not to exceed thirty(30) days or by both such fine and imprisonment.

Section 11. Conflict with Zoning Ordinance:

All ordinances or parts of ordinances in conflict herewith, are hereby repealed, however, it is not intended hereby to affect the provisions of the comprehensive zoning ordinance number 19, of the City of Brookings, and if any conflict shall arise between this ordinance and said ordinance number 19, the provision of said ordinance number 19 shall be controlling.

Section 12. Duties of Building Official:

It is hereby made the duty of the Building Official and Police Department of the City of Brookings, to cause all advertising structures and billboards to be regularly inspected and to report to the City Council when any such advertising structure or billboard, or the conditions surrounding the same, are found by said Building Official or Police Department to be unsafe, or otherwise maintained in a manner contrary to the provisions of this ordinance.

Section 13. Emergency:

It is hereby adjudged and declared that existing conditions are such that this ordinance is necessary for the immediate preservation of the public peace, health and safety of the City of Brookings, and an emergency is hereby declared to exist, and this ordinance shall take effect and be in full force and effect from and after its enactment.

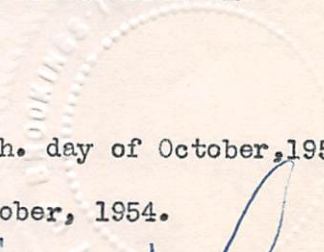
Read by title and in full this 12th. day of October, 1954.

Read a second time by title this 12th. day of October, 1954.

Read a third time by title and passed by the Council this 12th. day of October, 1954.

Authenticated this 12th. day of October, 1954.

Passed by the Council October 12, 1954.


Robert D. Lemmick
Mayor.

Gladys Sawick

Recorder.

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