

A BILL FOR AN ORDINANCE AMENDING) ORDINANCE BILL NO. 32
SECTION 8.04.250 OF THE LEBANON) FOR 1995
MUNICIPAL CODE, PROVIDING)
AUTHORITY TO ISSUE CITATIONS AND) ORDINANCE NO. 2174
DECLARING A PENALTY)

WHEREAS, the City Council for the City of Lebanon has determined that the posting of signs upon the property of another is unsightly and constitutes blight within the city limits; and

WHEREAS, the City Council has further determined that the posting of signs at corners, intersections, and upon telephone, telegraph, or electric poles constitutes a safety hazard to motorists, property owners and workers; and

WHEREAS, such conditions aforementioned are found to be nuisances which require swift corrective action which can be accomplished by citation of the person responsible for creating such signs;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

SECTION 1. Section 8.04.250 of the Lebanon Municipal Code is hereby amended to read as follows:

8.04.250 Advertising distribution --- Restriction and Penalty

A. No person shall affix, cause to affix, or cause to be distributed any placard, bill, advertisement or poster upon real or personal property, public or private property, pole, post, wire, or cable, fixture, telephone system, or traffic control system without first securing permission from the owner or person in control of the property. This section shall not be construed as an amendment to or a repeal of any regulation adopted as of August 27, 1980, or adopted after that date by the city regulating the use and location of signs and advertising. Any placard, bill advertisement or poster found to be in violation of this section may be removed by a peace officer.

B. In addition to any other penalties or procedures to enforce this section and not in lieu thereof, this section may be enforced by any peace officer of the city by the issuance and delivery of a citation to any person who is referred to in any placard, bill advertisement, or poster mentioned in section A of this ordinance. In any prosecution under this section, it shall be prima facie evidence that any person named on such advertisement, or any person in control of property listed as an address on such advertisement has placed such advertisement or caused to have such advertisement placed in violation of section A of this ordinance.

C. The penalty for a violation of this section shall be a fine of not more than \$50. In addition thereto, the court may require that any such signs posted shall be removed. Failure to remove the signs posted in violation of this section may be prosecuted as additional violations or as a contempt of the court in accordance of law, or both.

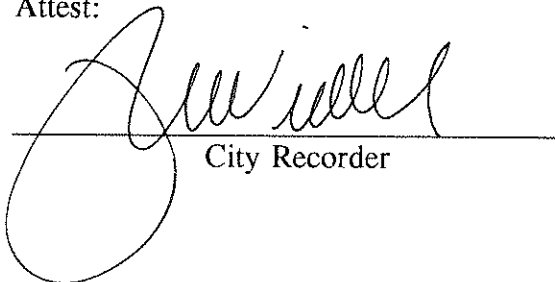
D. In the event that any part of this section is found to be unconstitutional by a court of competent jurisdiction, it is intended that any sections of this chapter not so affected shall be severed and enforceable as provided herein.

Approved by the City Council on this 13th day of September, 1995 by a vote of 5 for and 0 against.



Mayor

Attest:



City Recorder