

ORDINANCE NO. 225

AN ORDINANCE to regulate the use of advertising matter and devices upon, over or across sidewalks, street, alleys, or other public property within the Town of Stayton; to provide penalties for the violation of this ordinance; to repeal conflicting ordinances.

THE TOWN OF STAYTON DO ORDAIN AS FOLLOWS:

Section 1. Unless the context indicates a different meaning, the term "advertising matter" where used in this ordinance shall, for the purpose hereof, be construed to mean and include any material or substance the purpose or use of which is to announce, make known, or display any fact or information by means of pictures, designs, words, letters, characters, or other means, whether written, printed, typed, painted, or otherwise expressed.

Section 2. Except as hereafter in this ordinance specifically permitted, it shall be unlawful for any person, firm, association, or corporation to erect, ~~or place~~ ^{display} any structure or devise the general purpose or use of which is to display advertising matter, on, upon, over, or across any street, alley, ~~road~~ sidewalk, curb, crosswalk, or other public property within the Town of Stayton.

Section 3. Except as hereafter in this ordinance specifically permitted, it shall be unlawful for any person, firm, association, or corporation to place or display any advertising matter on, upon, over, or across any street, alley, ~~road~~ sidewalk, curb, crosswalk, or other public property, or to place any advertising matter on or in or to attach the same to any tree, pole, or post whatever which may be situated in or on any street, alley, sidewalk, curb, crosswalk, or other public property, within the Town of Stayton.

Section 4. If any person shall desire to erect any sign or device adjacent to any premises, to be used for the purpose of displaying any advertising matter which shall pertain to the business or occupation being carried on at said premises, and which sign or device, or any part thereof, shall extend over or across any portion of any sidewalk, street or alley, an application shall first be made to the Council of the Town of Stayton through the office of the Recorder. If the Council shall deem that such sign or device shall not be likely to endanger any person or property it may, at it's option, grant such application and provide the terms and conditions for erection and use of the same, or it may reject such application.

Section 5. The Council may, at it's option, permit any person, firm, association, or corporation to display advertising matter the purpose of which is to advertise meetings or entertainments sponsored by public, civic, welfare, charitable, religious, or fraternal groups, notwithstanding any of the provisions of this ordinance.

Section 6. Nothing in this ordinance shall be deemed to prohibit the proper display of notices of any election to be held by the Federal or State governments or any subdivision thereof, or of notices of judicial sales, or of any other notices or advertisements issued or displayed pursuant to law or ordinance.

Section 7. It shall be unlawful for any person to display any advertising matter on, upon, over or across any private property within the Town of Stayton, without the express consent of the owner or person in custody of such property, except pursuant to law or ordinance.

Section 8. It shall be the duty of the Marshal of the Town of Stayton, or any Deputy, to forthwith remove any advertising matter or sign or other device, displayed or erected within the Town of Stayton in violation of any of the terms of this ordinance.

Section 9. Any person violating any of the provisions, or any provision of this ordinance shall, upon conviction thereof in the Recorder's Court, be punished by a fine of not to exceed \$50.00, or by imprisonment in the town jail for not more than 10 days, or by both such fine and imprisonment.

Section 10. If any part of this Ordinance shall be declared unconstitutional, or shall be invalidated for any reason, all of the remaining portions hereof shall nevertheless remain in full force and effect.

Section 11. That all ordinances, or parts of ordinances, in conflict herewith, be, and the same hereby are repealed.

Passed by the Council this 6th day of Dec, 1937.

Attest: A. A. Smith Recorder.

Approved by the Mayor of the Town of Stayton this 6th day of Dec 1937

J. R. Duncan Mayor