

Sec. 10-12-9. - Public property and works—Injuring or defacing, and regulating advertising and/or campaign materials.

- A. No person shall injure or deface any public building, public work or public property; provided, however, painting of numerals of the street address on the curb immediately in front of a structure shall not be an act prohibited in this section when conforming to provisions set forth in section 12-4-7.
- B. No person shall post, stick, stamp, paint or otherwise fix, or cause the same to be done by any person, any notice, placard, bill, card, poster, advertisement or other paper or device calculated to attract the attention of the public, to or upon any public property, including but not limited to, any street, sidewalk, crosswalk, curb, or any other portion or part of any public way or public place or building, or any telephone pole, light standard, stop sign, railway structure, tree, bush or shrub, or upon any railings, gates, or other parts of any public bridge, viaduct, subway or overpass, or upon any other public property, right-of-way or easement granted to the city. No person shall remove, deface or otherwise tamper with any lawfully posted signs.
- C. Any notice, placard, bill, card, poster, advertisement or other paper or device as referred to in subsection B of this section, which contains a message attributable to a person or entity named thereon or an advertisement or telephone number notification for the benefit of a person or entity, or any properly authenticated photograph or videotape of same, shall be prima facie evidence that the notice, placard, bill, card, poster, advertisement or other paper or device was placed on public property in violation of this section by the person or entity whose name appears thereon or whose telephone number appears thereon, or by their employee or agent while acting in the scope of their employment or agency and on behalf of the person or entity whose name or telephone number appears thereon.
- D. Each notice, placard, bill, card, poster, advertisement or other paper or device as referred to in subsection B of this section, found posted on public property in violation of this section shall be deemed to be a separate violation of this section. Each separate violation shall be punishable by a fine of \$50.00. In addition, in order to remediate the harm caused the city by violations of this section, the city shall be entitled to recover a penalty in an amount equal to the cost incurred in locating, removing and disposing of such material, provided however that such penalty shall not exceed \$200.00.
- E. The division of public works is authorized to issue citations for violation of this section, and to act as the city's official representative in all prosecutions of such citations in all appropriate courts.

(Code 1967, § 22-43; Code 1985, § 20-26; Ord. No. 1432, § 1, 9-26-1972; Ord. No. 3156, § 1, 9-29-1981; Ord. No. 4999, 5-20-2003; Ord. No. 5073, § 1, 2004)