

ORDINANCE NO. 420

AN EMERGENCY ORDINANCE RELATING TO SIGNS, BILLBOARDS, BULLETIN BOARDS AND ADVERTISING. PROVIDING FOR THE LICENSING, INSPECTING, AND REGULATING THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND JUNCTION, COLORADO:

Section 1. No person, firm or corporation shall erect or maintain within the limits of the City of Grand Junction any billboard, signboard, bulletin board, sign or structure erected for advertising purposes or upon which any advertisement is shown, painted or displayed in any way except as is hereafter in this ordinance specified. No billboard, signboard, sign or structure exceeding ten square feet in area erected for advertising purposes or upon which any advertisement is shown, painted or displayed in any way shall be erected or maintained nearer to the street line than twelve feet, and the same shall not exceed in height, ten feet from the lower to the upper edge, and the lower edge shall not at any point be higher than two feet above the surface of the ground. All billboards, signboards, bulletin boards, signs or structures described in this section shall be so constructed as to leave a clear space of at least 18 inches between the lower edge thereof and the surface of the ground. The owner, lessee or manager of said billboards, signboards, bulletin boards, signs and structures and the owner of the land on which the same is located shall keep all grass, weeds, and other growth and all waste, filth and accumulations of every kind out and cleaned up between the same and the street and also for a distance of six feet behind and at the ends thereof.

Section 2. All billboards, signboards, bulletin boards, signs or structures erected for advertising purposes or upon which advertising is shown, painted or displayed shall be erected and maintained on a straight line or lines. The ends of all such boards must be at least six feet distant from any wall or fence or other obstruction which would prevent a clear passage around such ends. It shall be unlawful to post or display upon any such billboard, signboard, bulletin board, advertising sign or structure any indecent, immoral or lascivious picture or design such as would exercise an immoral or improper influence on the minds of children and youth.

Section 3. That any and all billboards, signboards, bulletin boards, sign or structure erected for advertising purposes or upon which any advertisement is shown, painted or displayed hereafter erected, constructed, reconstructed, altered or moved in the City of Grand Junction shall be constructed in such a manner and of such material that they shall be safe and substantial, and in the fire limits of such city shall be constructed of metal or other non-combustible material, and all posts, braces and frames shall be of angle or tee irons; all posts to be set at least three feet in the earth and in a concrete foundation not less than two feet square and three feet deep according to plans and specifications to be approved by the City Engineer.

Section 4. No person, firm or corporation shall hereafter erect or maintain within the city limits any billboard, signboard, bulletin board, sign or structure erected for advertising purposes or upon which any advertisement is shown, painted or displayed without first procuring a permit for such from the Building Inspector and paying therefor a fee of \$1.00 for every five lineal feet or fraction thereof in length of said billboard, fence or sign. At least 24 hours before applying for such permit, notice of application must be given to the Building Inspector, which said notice must contain full information concerning the construction, location and dimensions of such board or sign. If the Building Inspector finds that such application is for a lawful purpose and that the proposed board or sign is in compliance with the provisions of the city ordinance, he shall issue such permit to the person, firm or corporation applying therefor, upon the filing and approval of the bond hereafter provided.

Section 5. It shall be unlawful for any person, firm or corporation to erect or construct or to cause to be erected or constructed any billboard, signboard, bulletin board, sign or other structure for advertising purposes in any block or any public street in which one-half or more of the buildings on each or either side of the street are used for residence purposes, without first obtaining the written consent in writing of the occupants of the residences, owners or duly authorized agents of the owners owning a majority of the frontage of the property on both sides of the street in the block in which such billboard or signboard is to be erected, constructed or located. Such written consent shall be filed with the City Clerk and made a part of the application above referred to, and shall be considered and approved by the Building Inspector before the permit shall be issued for the erection, construction, reconstruction,

alteration, resurfacing, location or relocation of any structure or board governed by this ordinance.

Section 6. All signs, boards and structures for which a permit has been issued shall be inspected by the Building Inspector when erected, and annually thereafter, and if found to be well constructed, supported and braced, a certificate of inspection shall be issued by the Building Inspector to the owner thereof. Should any signboard or structure be found unsafe or insecure, the owner shall be required to make it safe and secure within 48 hours from the time of notification to that effect by the Building Inspector. If such notice is not complied with within the time specified, the Building Inspector shall cause the same to be removed at the expense of the owner thereof or the owner of the ground on which such board, sign, or structure stands.

Section 7. When any permit mentioned in this ordinance shall have been granted to any person, firm or corporation for the construction, erection, or location of any such billboard, signboard, bulletin board, sign or structure erected for advertising purposes or upon which any advertisement is shown, painted or displayed, it shall be the duty of the person, firm or corporation erecting, constructing or maintaining the same to pay to the City Treasurer an annual license tax in the sum equivalent to \$1.00 for every five lineal feet of such billboard, signboard, bulletin board, sign or structure erected for advertising purposes or upon which any advertisement is shown, painted or displayed, and such annual license tax shall include the cost of inspection and the issuance of a certificate thereof.

Section 8. That any and all billboards, signboards, bulletin boards, signs or structures erected for advertising purposes or upon which any advertisement is shown, painted or displayed, now existing in the city, which shall not, within thirty days from and after the final passage and adoption of this ordinance, be made to conform to the specifications and requirements hereof, and all billboards, signboards, bulletin boards, signs or structures erected for advertising purposes or upon which any advertisement is shown, painted, or displayed hereafter constructed within the city which shall not be erected and maintained in accordance with the requirements and specifications hereof are hereby declared to be common nuisances and the same may be abated and removed upon the order of the Mayor and Council at any lawful session of the Council after five days' notice in writing to the owner, keeper, or licensee of such billboard or billboards, signboards, bulletin boards,

fences, signs or structures erected for advertising purposes or upon which any advertisement is shown, painted or displayed, or to the owner of the premises upon which the same stands.

Section 9. That the terms billboard, signboard, bulletin board, sign or structure erected for advertising purposes or upon which any advertisement is shown, painted or displayed as used in this ordinance shall include all structures of whatever material the same may be constructed or for whatever primary purpose they may have been erected which have heretofore or may hereafter be built, maintained or used for the public display of posters, painted signs, pictures or other pictorial or reading matter, except such signs as are attached to the roof or wall of buildings or are suspended therefrom in a safe manner for the purpose of announcing or advertising the business carried on within the building to which they are attached or from which they are suspended. Provided, however, that no sign of any kind shall be attached to or placed upon a building in such a manner to obstruct any fire escape or any window or door entering thereto, nor shall any sign be attached in any form, shape or manner to a fire escape.

Section 10. Every person, firm or corporation in the business of erecting or hanging signs, painting or posting advertisements or bills in the City of Grand Junction except such signs as are specifically excepted by this ordinance shall file annually with the City Clerk a good and sufficient bond to be approved by the City Council running to the City of Grand Junction in the penal sum of \$2000.00 conditioned to indemnify, save and keep harmless the City of Grand Junction from all costs, damages or expenses of any kind whatever which may be on the part of such person, firm or corporation in the hanging, erection or maintenance of such signs or any other act and omission in the conduct of such business, and further conditioned upon the faithful and prompt observance of all the conditions and regulations of this ordinance and all other ordinances of the City of Grand Junction relative thereto, provided that when the number of permits issued to any individual, firm or corporation shall exceed 50 in number, the penal sum of said bond shall be increased \$1000.00 for each additional 50 permits or fraction thereof issued to such individual, firm or corporation.

Section 11. No person, firm or corporation shall scatter, daub or leave any paste, glue or like substance for posting bills and posters, upon any public sidewalk, pavement, street, alley, avenue or other public place within said city, or scatter or throw any old bills or waste material removed from billboards,

signboards or bulletin boards on the surface of any sidewalk, street or highway or upon any private grounds in the City of Grand Junction.

Section 12. Any person, firm or corporation erecting, altering or maintaining any billboard, signboard, bulletin board, fence, sign or structure erected for advertising purposes or upon which any advertisement is shown, painted or displayed within the limits of the City of Grand Junction without having procured a permit therefor and without having a certificate of inspection from the Building Inspector as herein provided, or who shall violate or refuse to comply with any other provision of this ordinance shall be fined not less than \$10.00 nor more than \$100.00 for each offense, and each day during which the sign or board shall be maintained without such permit and certificate of inspection, or each day that such person, firm or corporation shall violate and refuse to comply with any other provision of this ordinance shall constitute a separate offense in violation of this ordinance.

Section 13. That all ordinances or parts of ordinances inconsistent or in conflict herewith be and the same are hereby repealed.

Section 14. In event any one or more of the provisions, of this ordinance shall be determined to be illegal, unlawful or unconstitutional, the same shall not be construed to alter, annul or repeal or otherwise affect any of the terms, provisions, restrictions, requirements or conditions of this ordinance which may be held to be legal or valid.

Section 15. That in the opinion of the City Council a special emergency exists for the preservation of the public health and safety, and this ordinance shall therefore go into effect upon its passage.

Passed and adopted this 20th day of May, A. D. 1927.

/s/ C. D. Moslander

President of the Council

ATTEST

/s/ Helen C. Niles

City Clerk

I HEREBY CERTIFY that the foregoing ordinance entitled AN EMERGENCY ORDINANCE RELATING TO SIGNS, BILLBOARDS, BULLETIN BOARDS AND ADVERTISING, PROVIDING FOR THE LICENSING, INSPECTING AND REGULATING THEREOF, was introduced, read and passed, and ordered published, by the unanimous vote of all the members of the City Council of the City of Grand Junction, Colorado, at a regular adjourned meeting of said Council held on the 20th day of May, A. D. 1927, and numbered 420

IN WITNESS WHEREOF I have set my hand and affixed the official seal of the said City this 20th day of May A. D. 1927.

/s/ Helen C. Niles

City Clerk

Published May 21st, 1927.