

ORDINANCE NO. 422

AN EMERGENCY ORDINANCE RELATING TO SIGNS, BILLBOARDS, BULLETIN BOARDS, AND ADVERTISING AND PROVIDING FOR 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 thirty 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 two feet, and the same shall not exceed in height, twelve feet from the lower to the upper edge, and the lower edge shall not at any point be higher than four feet above the sidewalk level. 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 one foot between the lower edge thereof and the sidewalk level. 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 same and the street, and also for a distance of six feet behind the rear braces and at the ends thereof.

Section 2. 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 manner and of such material that they shall be safe and substantial; all posts to be set at least four feet in the

earth, and shall be of a minimum diameter of five inches and of native cedar and bolted to other construction; and except as herein specified and limited, shall be erected according to the plans and specifications of The Outdoor Advertising Association of America or other plans and specifications to be approved by the City Engineer. Copies of which said plans and specifications and all changes and alterations thereto shall at all times be filed with 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 \$2.00 for every twenty-five foot structure 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 streets 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, or if erected prior to the passage of this ordinance before the issuance of such permit, 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 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. Every person, firm, partnership or corporation which has obtained a permit or permits for the construction, erection, location or maintenance of any billboard, signboard, bulletin board, sign or structure erected for advertising purposes or upon which any advertisement is shown, painted or displayed, shall pay to the City Treasurer an annual license fee of one-half cent for every one square foot of display space thereon with a minimum fee of One Dollar for any such billboard, signboard, bulletin board, sign or structure erected for advertising purposes, and such annual license fee shall include the cost of inspection and the issuance of a certificate thereof, and shall be due and payable January first of each year thereafter beginning January 1, 1929.

Section 8. That any and all billboards, signboards, bulletin boards, signs or structures hereafter erected and constructed, moved or reconstructed for advertising purposes or upon which any advertisement is shown, painted or displayed, which shall not conform to the specifications and requirements or which have been heretofore constructed and found to be unsafe and insecure, 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 fifteen days' notice in writing to the owner or licensee of such billboards, bulletin boards, signboards, fences, signs or structures erected for advertising purposes, or upon which any advertisement is shown, painted or displayed.

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. The term Building Inspector shall apply to the Chief of the Fire Department or to any person specially designated as such by the City Council.

Section 10. Every person, firm or corporation engaged 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, previous to the issuance of any permit and annually on the first day of January thereafter, 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 suffered by the City of Grand Junction or any of the inhabitants thereof because of negligence on the part of such person, firm or corporation in the hanging, erection or maintenance of such signs or any other act or 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 cover more than fifty signs, panels or structures of 25 feet in length or less, the penal sum of said bond shall be increased \$1000.00 for each additional 40 of such panels, signs or structures or fraction thereof, for which permits are 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 billboards, 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 or order of the Building Inspector or City Council as provided herein, 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 or order herein described shall constitute a separate offense in violation of this ordinance.

Section 13. It shall be unlawful for any person, firm or corporation to tack, paste, or tie any paper, cardboard or fabric bills, posters, printed matter, advertisements or announcements on any poles, posts, trees, the outside walls of buildings or fences within the limits of the City of Grand Junction, and any violation hereof shall subject the offender to a fine of not less than One Dollar nor more than One Hundred Dollars for each offense. Nothing herein contained shall apply to notices required by law to be posted within the limits of the said City nor to signs or any printed matter or printed advertisements which may be attached to or posted on or in buildings advertising goods for sale therein, or relating to any business therein conducted, nor to signs, bills or posters of any description within a building or tacked or posted to a signboard, billboard, bulletin board as provided in this ordinance.

Section 14. That Ordinance No. 420 passed and adopted May 20, 1927, and all ordinances or parts of ordinances inconsistent or in conflict herewith be and the same are hereby repealed.

Section 15. 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 16. That in the opinion of the City Council 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 19th day of October, 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, BILLBOARD, BULLETIN BOARDS, AND ADVERTISING AND PROVIDING FOR 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 meeting of the said Council held on the 19th day of October, A. D. 1927, and numbered 422.

IN WITNESS WHEREOF I have set my hand and affixed the official seal of the said City this 19th day of October, A. D. 1927.

/s/ Helen C. Niles

City Clerk

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