

ORDINANCE No. 1113

A BILL FOR AN ORDINANCE Regulating and relating to the construction, erection, maintenance and use of billboards in the City of Albany, County of Linn, State of Oregon and licensing and regulating the occupation of maintaining billboards and outdoor advertising, providing penalties for the violation of the same, and repealing all ordinances or parts thereof in conflict therewith:

THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:

Section 1. The term "billboard" as used in this ordinance is hereby defined to be any board, fence, sign or structure erected for advertising purposes or upon which any advertisement is shown, or whereon any poster, bill, printing, painting, device or other advertising matter of any kind whatsoever may be placed, stuck, tacked, posted, printed, painted, pasted or fastened, but this definition shall not be held to include any board, sign or surface used to display official notices, issued by any Court or public office, or posted by any public officers in the performance of a public duty, or used to display announcement of meetings to be held upon premises whereon such billboards or bulletin boards are displayed, or used to advertise any business conducted on the premises where such bill board or bulletin board is located, nor shall it be held to include a real estate sign, advertising for sale or rent the property upon which it stands.

Section 2. The term "Outdoor" advertising as used in this ordinance is hereby defined to be advertising on any board, fence or structure, or the placing thereof of any poster, bill, printing, painting, device, or any advertising matter of any kind whatsoever, and the pasting, posting, painting, printing, nailing or tacking or otherwise fastening of any hand-bill, card, banner, sign, poster, advertisement or notice of any kind upon any property or place.

Section 3. No person, firm or corporation shall engage in or carry on the business or occupation of billposting, advertising, sign painting or outdoor advertising or maintaining billboards without paying the license fee provided for in this ordinance.

Section 4. The license fee imposed by this ordinance shall be payable on the first day of each calendar year and the amount thereof shall be Twenty five Dollars (\$25.00) per year.

Section 5. Upon the payment of the license fee in this ordinance provided, the City Recorder shall issue to the person, firm or corporation paying the license fee, a license to be known as the "Bill Poster and Outdoor Advertising License", and such payment shall entitle the holder to engage in and carry on the business or occupation described in Section Three of this ordinance for the period for which such payment was made.

Section 6. No billboard shall have an advertising surface of

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more than ten (10) feet from the lower to the upper edge thereof.

**Section 7.** The surface of all billboards erected or maintained within any restricted district in this City in which wooden buildings are prohibited, shall be of fireproof, non-combustible material. The surface of billboards erected or maintained outside of such restricted districts shall be of either fireproof, non-combustible material or of wood at least one (1) inch in thickness.

**Section 8.** All billboards with an advertising surface in excess of twenty (20) square feet shall be constructed according to the following specifications, provided, however, that these specifications shall not be considered to interfere with any additional requirements for safety as may be approved by the Committee on Fire and Water (as provided for in this ordinance.)

The surface of the billboard shall be securely fastened to a framework, the posts or uprights of which shall be of redwood not less than four (4) inches by six (6) inches in dimensions, said post to be spaced not more than eight (8) feet apart and shall extend to the top of the billboard; said posts to be set not less than three (3) feet in the ground and the earth about them to be securely tamped into place. The material which comprises the surface of the billboard shall be securely attached to wooden stringers, which stringers shall run continuously the entire length of the billboard. There shall not be less than one (1) stringer, two (2) inches by four (4) inches in dimensions, for each four (4) feet or fraction thereof that the surface of such billboards is in height, provided, however, that when the advertising surface of a billboard does not exceed ten (10) feet in height, three (3) wooden stringers may be employed; the one to which the top edge of the advertising surface is attached be two (2) inches by six (6) inches in dimensions; the one to which the middle of the advertising surface is attached shall be two (2) inches by four (4) inches in dimensions, and the one to which the lower edge of the advertising surface is attached shall be two (2) inches by six (6) inches in dimensions. Each wooden stringer shall be attached to each post with three (3) 30d nails.

The vertical posts shall be braced by wooden braces two (2) inches by six (6) inches in dimensions; one brace to each post; each brace to be securely attached to the top or within two (2) feet of the top of each post with three (3) 40d nails. The lower end shall be securely attached with three (3) 40d nails to a redwood anchor post not less than four (4) inches by six (6) inches by five (5) feet in dimensions. Said anchor post shall be set back of the vertical post a distance equal to three-quarters of the total height of the billboard above the ground, and said anchor post shall be set not less than four (4) feet in the ground and in such a position as

to make an angle of approximately ninety (90) degrees with the brace. A cross-piece fourteen (14) inches long of two (2) inch by six (6) inch redwood shall be securely nailed with three (3) 30d nails across the back at the lower end of the anchor post,--and a piece of redwood, two (2) inches by six (6) inches, by fourteen (14) inches in dimensions, shall be securely nailed with three (3) 30d nails across the front of the anchor post six (6) inches below the ground surface. Redwood anchor posts not less than four (4) inches by six (6) inches by five (5) feet in dimensions, or concrete or steel anchor posts of other types of equal strength may be substituted for the foregoing with the approval of the Committee on Fire and Water. Where the vertical posts rest upon the foundation wall or bulkhead, they shall be securely fastened to the same by means of steel dowel-pins, set at least four (4) inches into the foundation wall or bulkhead. There shall be one pin to each post. When a billboard is built in an excavation so that the height of said billboard above the ground is such that the lengths of the posts and braces above ground exceed sixteen (16) feet, the posts and braces shall be strengthened by means of re-enforcing braces.

Every billboard having an advertising surface of more than twenty (20) square feet shall be made to withstand a lateral wind-pressure of twenty (20) pounds per square foot of exposed surface.

Section 9. It shall be unlawful for any person, firm or corporation to erect any billboard without first obtaining a building permit therefrom from the Committee on Fire and Water (or proper official) which said permit shall be granted upon a written application containing the name and address of the applicant, the proposed location of the billboard and the dimensions of the advertising surface thereof. Such application shall be accompanied by specifications for the erection of the proposed billboard.

Section 10. An ornamental border not wider than one (1) foot may be added to surround the advertising surface of any billboard, and there may be placed at the ends of billboards appropriate ornamental columns; and there may be placed between the lower edge of the billboard and the ground an ornamental lattice-work or baseboard, provided, that the lower edge of the billboard or ornamental border shall be at least eighteen (18) inches from the surface of the ground.

Section 11. No paper, cloth or advertising matter shall be allowed or permitted to hang loose from any billboard, but the same shall be securely fastened or glued to the surface of the billboard.

Section 12. All billboards which are constructed on street lines or within three (3) feet therefrom, shall have a smooth surface and no nails, tacks or wires shall be permitted to protrude therefrom, except electrical reflectors or devices extending over the top and in front of the billboard to be used for illuminating purposes.

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Section 13, It shall be unlawful for any person, firm or corporation, except a public officer or employe in performance of a public duty, to paste, paint, print, nail, tack or otherwise fasten any card, banner, handbill, sign, poster or advertisement or notice of any kind or cause the same to be done, or any curbstone, lamp-post, pole, hitching post, watering trough, hydrant, bridge or tree upon a public street or public property with the City of Albany, County of Linn, State of Oregon, except as may be required by the ordinances of the said City of Albany, County of Linn, or the laws of the State of Oregon, or of the United States.

Section 14. It shall be unlawful for any person, firm or corporation, except a public officer or employe in the performance of a public duty, to paste, post, paint, print, nail, tack or otherwise fasten any card, banner, hand-bill, sign, poster, advertisement or notice of any kind or cause the same to be done on any property of the City of Albany, Linn County, Oregon, without the consent of the Committee on Fire and Water.

Section 15, It shall be unlawful for any person, firm or corporation, except a public officer or employe in performance of a public duty or a private person in giving a legal notice, to paste, post, paint, print, nail or tack or otherwise fasten any card, banner, hand-bill, sign, poster, advertisement or notice of any kind upon any property without the written consent of the owner, holder, lessee, agent or trustee thereof.

Any advertisement prohibited by this section and the next preceding section may be taken down, moved or destroyed by anyone.

Section 16. No person, firm or corporation shall scatter, daub or leave any paint, paste, glue or other substance used for painting or affixing advertisement matter upon any public street or sidewalk or scatter or throw or permit to be scattered or thrown any bills, waste, matter, paper, cloth or materials of whatsoever kind removed from billboards on any public street or on private property.

Section 17, The provisions of this ordinance do not apply to electric signs and transparencies, nor signs attached to any building or the sidewalk thereof advertising the business carried on in such building, nor bulletin boards, nor clocks or similar advertising devices.

Section 18. The provisions of this ordinance do not apply to signs not exceeding twenty (2) square feet in size, familiarly known as real estate signs, advertising for sale or rent the property upon which they stand, but all such signs shall be securely fastened to the ground or to the structures to which they are attached.

Section 19. There shall be placed and maintained on the top of each billboard and each advertising sign the name plainly printed, of the person, firm or corporation owning or who is in possession, charge or control of the same, for advertising purposes.

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Section 20. Every person, firm or corporation engaging in or carrying on the business or occupation of billposting or advertising sign painting or outdoor advertising or maintaining billboards shall cause the name of such person, firm or corporation to be plainly painted in a conspicuous place on the outside of any wagon or vehicle used in such business or occupation and shall keep the same plain and distinct at all times. Every employee of any person, firm or corporation engaged in said business or occupation, while employed in posting bills or painting signs or bulletins shall wear a metal badge or shield on which shall appear in legible characters the name of the person, firm or corporation by whom such employee is employed.

Section 21. It is hereby declared that each of Sections 1 to 20 both inclusive, of this ordinance, is severally from each and every of the other sections thereof and that each thereof has been passed independently and severally from each and every of such others and irrespective of the passage thereof.

Section 22. Any person, firm or corporation violating any provision or provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding Two Hundred Dollars (\$200), or by imprisonment in the City Jail for not exceeding one (1) month, or by both such fine and imprisonment.

Passed by the Council, Jan. 9th. 1924.

Approved by the Mayor, Jan. 11th. 1924.

P. A. Young,

Mayor

Attest: D. H. Bodine,

Recorder of the City of Albany, Oregon.

State of Oregon, }
County of Linn, } ss

I, D. H. Bodine, Recorder of the City of Albany, in Linn county, and State of Oregon do hereby certify that the foregoing and annexed copy of Ordinance No. 1113 has been by me carefully compared with the original Ordinance Bill No. 1210 now on file in my office and that it is a true and correct copy of all and the whole of said Ordinance Bill No. 1210 passed by the council Jan. 9th. 1924, and approved by the Mayor, Jan. 11th. 1924.

WITNESS, my hand and official signature and the seal of the City of Albany, this 31 day of December, 1924.

[Handwritten signature of D. H. Bodine]

Recorder of the City of Albany.