

**CHAPTER 3**

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## CHAPTER 3

### ADVERTISING AND SIGNS

#### ARTICLE I. IN GENERAL

##### SECTION 3-1. LICENSE TO POST, DISTRIBUTE, ETC., ADVERTISING MATERIAL - REQUIRED.

No person shall construct or erect, permanent or temporary, advertising signs, tack cards, metal, wood, or plastic signs or signs of any other material, or post any posters or other advertising devices calculated to attract the attention of the public for commercial or promotional purposes, without first having obtained a license from the city therefor; provided, however, that this section shall not apply to advertising or posting by charitable, religious, educational or other governmental or non-profit organizations or clubs.

##### SECTION 3-1.1. MORATORIUM ON LICENSES FOR THE CONSTRUCTION OR ERECTION OF OFF PREMISES SIGNS AND BILLBOARDS.

- (a) With the exception of those off premise signs and billboards in place as of the effective date of this ordinance, the City of Kemmerer shall not issue licenses allowing the construction or erection of off premise signs or billboards and no person shall construct or erect off premises signs or billboards within the city limits.
- (b) The moratorium created hereby shall be effective for 6 months after the effective date of this ordinance. (Passed, approved and adopted June 12, 1995.)

##### SECTION 3-2. SAME - APPLICATION; ISSUANCE; TERM.

All applications for a license required by this chapter shall be accompanied with a license fee of Ten Dollars (\$10.00). The city clerk, upon receiving such application and the required fee, shall issue a license certificate as applied for, stating the name of the person to whom issued, the date of its expiration and the amount paid therefor. Such certificate shall not be issued for a longer period than one (1) year and at the expiration thereof the same may be renewed for another term of one (1) year upon the payment of the required license fee and may be renewed thereafter upon the payment of the required fee. Such license shall cover the erection of each billboard, signboard and other structures for advertising purposes erected or to be erected during the year for which such license was issued.

**SECTION 3-3. SAME - FEE.**

The fee for licenses required by this chapter shall be Ten Dollars (\$10.00) per year, payable annually to the city.

**SECTION 3-4. THROWING, ETC., NEWSPAPERS, HANDBILLS, ETC., ON PRIVATE PROPERTY WITHOUT OWNER'S CONSENT.**

It shall be unlawful and a nuisance for any person to distribute, cast, throw or otherwise place any newspaper, magazine, handbill, pamphlet, circular, dodger or any other paper on any private residential property in the city, without the express consent of the owner or of an adult occupant thereof, or of a person authorized by such owner or occupant to give such consent.

**SECTION 3-5. DESTROYING AUTHORIZED ADVERTISEMENT.**

It shall be unlawful for any person to mischievously, wantonly and/or maliciously tear down, deface or cover up any advertisement when the same is posted or put up in conformance with this Code or other ordinances of the city or pursuant to the laws of the state.

**SECTION 3-6. FALSE ADVERTISING.**

It shall be unlawful for any person with intent to sell, let, lease, rent or in any way offer or dispose of merchandise, products securities, service, lodging or anything offered by such person, directly or indirectly, to the public for rent, lease, sale or distribution or with intent to increase the consumption thereof or to induce the public in any manner to enter into any obligation relating thereto or to acquire title thereto or any interest therein to make, publish, post, disseminate, display, circulate or place before the public, or cause, directly or indirectly to be made, published, posted, disseminated, displayed, circulated or placed before the public, in a newspaper, or other publication or in form of a book, notice, handbill, poster, bill, circular, pamphlet, letter, sign or billboard or in any other way, an advertisement of any sort regarding such lodgings, meals, merchandise, products, securities, service or anything so offered to the public, which advertisement contains any assertion, representation or statement of fact which is untrue, deceptive or misleading.

**SECTION 3-7. MAINTENANCE OF SIGNS.**

All signs or other advertising devices licensed under the terms of this chapter shall be well maintained and kept in good condition, order and repair by the licensee or his successor. Any sign or other advertising device not maintained in good condition, order and repair may be removed by the city at the licensee's expense.

**SECTION 3-8. REMOVAL OF TEMPORARY POLITICAL OR PROMOTIONAL PLACARDS AND POSTERS.**

It shall be unlawful for any person, who has erected, placed or posted any temporary political or promotional placards or posters within the City of Kemmerer, to fail to remove the same within 30 days after the primary election for non successful candidates and 30 days after any general or special election for other candidates.