

AN ORDINANCE PROHIBITING THE POSTING OF POLITICAL, COMMERCIAL AND OTHER TYPES OF HANDBILLS, SIGNS, POSTERS OR ADVERTISEMENT WITHOUT PERMISSION; MAKING THE PERSON, FIRM OR CORPORATION ADVERTISED PRIMA FACIE RESPONSIBLE FOR SUCH POSTING AFTER NOTICE; MAKING THIS ORDINANCE CUMULATIVE OF PRIOR ORDINANCES; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY; AND NAMING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELICAN BAY, TEXAS:

SECTION 1.

It shall be unlawful for any person, firm or corporation to post, fasten, erect or display, or cause to be posted, fastened, erected or displayed, any political, commercial or other type of handbill, sign, poster or advertisement on any structure, tree, pole, curb or elsewhere within the right of way of any public street, or upon any public property within in the City of Pelican Bay, without the express permission of the City Council of the City of Pelican Bay, or upon any private property, real, personal or mixed, within the City of Pelican Bay, without the express permission of the owner thereof.

SECTION 2.

When any handbill, sign, poster or advertisement shall be found posted, fastened, erected or displayed in violation of Section 1 of this Code, same shall be prima facie evidence that such unlawful posting, fastening, erecting or displaying was caused by the person, firm or corporation advertised thereby only if such person, firm or corporation notified that such handbill, sign, poster or advertisement is in violation of Section 1 hereof; and each day that such handbill, sign, poster or advertisement shall remain so posted, fastened, erected or displayed shall constitute a separate violation.

SECTION 3.

That if any section, part of a section or provision of any section of this ordinance shall be held to be void, ineffective or unconstitutional by a court of competent jurisdiction, the holding of such section, part of a section or provision of any section to be void, ineffective or unconstitutional for any cause whatsoever shall in no way affect the validity of the remaining sections and provisions of the ordinance, which shall remain in full force and effect.

SECTION 4.

That any person, firm or corporation violating any of the provisions of this ordinance shall be fined in any sum not to exceed Two Hundred Dollars (\$200.00), and each day's violation thereof shall constitute a separate offense.

SECTION 5.

That this ordinance shall become effective and be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.

APPROVED:


Milton Love
Mayor, City of Pelican Bay

ATTEST:


E. Ann Leither
City Secretary

Adopted by the City Council March 19, 1985
Effective March 29, 1985