

ORDINANCE 5211

**AN ORDINANCE AMENDING, REPEALING, AND SUPPLEMENTING AMC
CHAPTER 7.84 CONCERNING THE REGULATION OF PUBLIC NUISANCES.**

WHEREAS, Chapter 7.84 of the Albany Municipal Code sets forth nuisance regulations throughout the City of Albany, and

WHEREAS, Chapter 7.84 defines public nuisance and provides procedures for prosecution and abatement of public nuisances and;

WHEREAS, there is increased city-wide concern with the presence of nuisances involving debris, garbage, and junk requiring a more specific definition of debris, garbage, and junk, as well as an expanded process for abatement of these nuisances;

NOW THEREFORE, the people of the City of Albany do ordain as follows:

Section 1: The Albany Municipal Code, Chapter 7.84 is hereby amended to read as follows:

Chapter 7.84
Public Nuisances

Sections:

- 7.84.010 ~~Attractive nuisances:~~ **Definitions**
- 7.84.020 ~~Injurious substances on street:~~ **Imminent Nuisance**
- 7.84.030 ~~Animal carcasses:~~ **Debris, Garbage, and Junk Deemed Nuisance**
- 7.84.040 ~~Deposit of offensive substances:~~ **Prohibited**
- 7.84.050 ~~Drainage of surface waters:~~ **Exception**
- 7.84.060 ~~Creating a hazard:~~ **Abatement**
- 7.84.070 ~~Junk defined:~~ **Imminent Nuisance Abatement**
- 7.84.080 ~~Keeping of junk deemed nuisance:~~ **Regular Abatement**
- 7.84.090 ~~Prohibited:~~ **Costs to become a lien**
- 7.84.100 ~~Exception:~~ **Attractive nuisances.**
- 7.84.110 ~~Vegetation over 15 inches high:~~ **Injurious substances on street.**
- 7.84.120 ~~Publication and notice:~~ **Animal carcasses.**
- 7.84.130 ~~Abatement:~~ **Deposit of offensive substances.**
- 7.84.140 ~~Ongoing sale of household items (garage sales) deemed a nuisance:~~ **Drainage of surface waters.**
- 7.84.150 ~~Creating a hazard.~~
- 7.84.160 ~~Vegetation over 15 inches high.~~
- 7.84.170 ~~Publication and notice.~~
- 7.84.180 ~~Abatement.~~
- 7.84.190 ~~Ongoing sale of household items (garage sales) deemed a nuisance.~~

~~7.84.010 — Attractive nuisances.~~

~~It is unlawful for any owner, lessee, occupant, or any person having control or custody or management of any premises to suffer or permit to remain unguarded upon such premises any machinery, equipment, or other device having the characteristics of an attractive nuisance or which is liable to attract children. It is further unlawful for any such owner, lessee, occupant, or person having control or custody or management of any such premises to suffer or permit to remain unguarded upon the premises any pit, quarry, cistern, well, or other excavation.~~

7.84.010 Definitions.

For the purpose of the Albany Municipal Code, the following definitions apply:

- (1) Debris:** The remains of something broken down or destroyed, including, but not limited to: scrap metal, scrap paper, scrap plastic or scrap wood; pieces of asphalt, concrete, lumber or other building supplies; or yard clippings or cuttings of plant material.
- (2) Garbage:** Food waste, animal and vegetable waste, dead animal carcasses, refuse, rubbish, trash, or other useless or discarded material.
- (3) Junk:** All inoperable motor vehicles, in which multiple major components are defective or removed for more than 30 consecutive days; any motor vehicle which has been unlicensed for more than 30 consecutive days; defective motor vehicle parts, abandoned automobiles, used tires, inoperable and defective machinery, or parts thereof, inoperable and defective appliances and parts thereof, metal portions of inoperable machinery, broken glass, empty glass, plastic or metal containers, scrap lumber, broken furniture, other wastes and/or discarded materials.
- (4) Person in Charge of Property:** An owner, agent, contract purchaser, lessee, occupant, or other person having possession or control of real property.
- (5) Place or Property:** Any premises, room, house, building or structure, or any separate part or portion thereof, whether permanent or not, or the real property itself.
- (6) Public Sidewalk:** A paved walkway within the public right-of-way or on publicly owned property.
- (7) Street:** The portion of a road ordinarily used for vehicular travel, including the shoulder, and all public street right-of-way regardless of whether improved or unimproved.
- (8) Imminent Nuisance:** The existence of debris, garbage, or junk on real property that is detrimental to public health, safety, or welfare, and causes imminent danger to human life, safety, or to property.

~~7.84.020 — Injurious substances on street.~~

~~It is unlawful for any person, firm, or corporation to permit to accumulate in or upon any yard, lot, or place, or premises on any street, alley, or sidewalk adjacent to or abutting upon any lot, block, place, or premises owned or controlled by him/her, any stagnant water or filth of any kind or to~~

~~suffer or permit such premises to be or remain in such condition as to cause or produce or create noisome or offensive smell.~~

7.84.020 Imminent Nuisance.

No person in charge of property may permit, or no person may cause to exist, any thing, substance, or act that is an imminent threat to public health, safety, or welfare. An imminent nuisance is unlawful and may be summarily abated as provided in AMC 7.84.070.

~~7.84.030 Animal carcasses.~~

~~It is unlawful for any person to suffer or permit the carcass of any animal owned by him/her to remain upon the public streets or ways, and no person who is the owner or occupant of any property shall suffer or permit the carcass of any animal to remain thereon. It shall be the duty of such owner or occupant forthwith to cause the carcass to be buried or other disposition made of the same.~~

7.84.030 Debris, Garbage, and Junk Deemed Nuisance.

(1) It is hereby determined and declared that the keeping of any debris, garbage or junk out of doors on any street, public sidewalk, lot, or premises within the City, or in any building that is not wholly or entirely enclosed except doors for use of ingress and egress, is a nuisance and is unlawful.

(2) Determination of the existence of a nuisance caused by the presence of debris, garbage or junk shall be determined by the City Manager or his/her designee. However, it shall be prima facie evidence of the existence of a public nuisance caused by debris, garbage or junk should three or more persons in charge of adjacent, adjoining, or other properties within 300 feet, sign a petition and submit said petition to the City Manager or his/her designee complaining a nuisance caused by the existence of debris, garbage or junk. In such case, the three or more persons signing the petition must all complain of the same nuisance arising from the existence of debris, garbage, junk on the property in question. Upon receipt of said petition from three or more persons, the City Manager or his/her designee shall within 30 days review the petition as well as inspect the place or property and make a determination as to whether abatement is presently appropriate. The City Manager or his/her designee may then either proceed under this Ordinance with enforcement, or shall notify the petitioners in writing that the nuisance does not qualify for enforcement.

~~7.84.040 Deposit of offensive substances.~~

~~It is unlawful for any person to put any animal carcass or part thereof, or any excrement, or any putrid, nauseous, decaying, deleterious, or offensive substances in any stream, well, spring, brook, ditch, pond, or other inland waters within the corporate limits of the City, or to place any such substance in such position that high water or natural seepage will carry the same into any such waters.~~

7.84.040 Prohibited.

It is unlawful for any person, or any agent or employees of any person to keep any debris, garbage or junk out of doors on any street, public sidewalk, lot, or premises within the City, or in any building that is not wholly or entirely enclosed except doors for use of ingress and egress. Violation of any provision of this chapter shall be punishable subject to penalties set forth in AMC 1.04.010.

~~7.84.050 — Drainage of surface waters.~~

~~It is unlawful for the owner, lessee, or occupant of any building or structure to suffer or permit rainwater, ice, or snow to fall from any such building or structure upon any street or sidewalk or to flow across any such sidewalk, and every such owner, lessee, or occupant shall at all times keep and maintain in a proper state of repair adequate drainpipes or a drainage system sufficient to carry to the street any overflow water accumulating on the roof or about such building.~~

7.84.050 Exception.

The provisions of exceptions 7.84.010 through 7.84.080 do not apply to junk kept at a duly licensed junk yard or automobile wrecking house.

~~7.84.060 — Creating a hazard.~~

~~A person commits the crime of creating a hazard if:~~

- ~~— (1) He/she intentionally maintains or leaves in a place accessible to children a container with a compartment of more than one and one-half cubic feet capacity and a door or lid which locks or fastens automatically when closed and which cannot be easily opened from the inside; or~~
- ~~— (2) Being the owner or otherwise having possession of property upon which there is a well, cistern, cesspool, excavation or other hole of a depth of four feet or more and a top width of 12 inches or more and he/she intentionally fails or refuses to cover or fence it with a suitable protective construction.~~

7.84.060 Abatement.

In addition to the penalties as provided for in other portions of this code, the City may initiate abatement of a nuisance. Abatements are classified into two categories: Imminent Nuisance Abatement, and Regular Abatement.

~~7.84.070 — Junk defined.~~

~~"Junk" includes all old motor vehicles, old motor vehicle parts, abandoned automobiles, old machinery, old machinery parts, old appliances or parts thereof, old iron, or other metal, glass, paper, old lumber, old wood, or other waste or discarded material.~~

7.84.070 Imminent Nuisance Abatement

(1) If a condition, substance, act or nuisance exists that is detrimental to public health, safety or welfare, it may summarily be abated if after inspection of the premises by the City Manager or his/her designee it is found to exist, and there is imminent danger to human life, safety, or to property. Determination of a condition, substance, act, or other occurrence constituting an imminent nuisance shall be made by the City Manager or his/her designee.

(2) No notice to the property owner or person in control of the property is required.

(3) Costs of abatement may be assessed as provided in AMC Section 7.84.080.

~~7.84.080 — Keeping of junk deemed nuisance.~~

~~It is hereby determined and declared that the keeping of any junk out of doors on any street, lot or premises within the City, or in a building that is not wholly or entirely enclosed except doors for use for ingress and egress, is a nuisance and is unlawful.~~

7.84.080 Regular Abatement.

Where there is no imminent danger to human life, safety, or to property but a nuisance is found to exist, the following abatement procedures will apply:

(1) Notice shall be posted on the premises where the condition, substance, act, or nuisance exists, directing that the owner, person in charge and person occupying the property, abate the situation.

(2) At the time of posting, the City Manager or his/her designee shall send a copy of the notice by certified mail and first class to:

(a) Owner at the last known address as listed in the county tax assessor's office; and

(b) The person in charge of the property or occupant if different from the owner.

(3) If prior notice of abatement was sent to the owner or person in charge of the property within the proceeding 12 months, and ownership or control of the property has not changed and the prior notice was returned as undeliverable or the delivery was refused, then notice can be provided via publication in a newspaper of general circulation at least ten days before abatement action is taken.

(4) The notice to abate shall contain:

(a) A description of the real property, by street address or otherwise, on which the condition, substance, act, or nuisance exists;

(b) A description of the condition, substance, act, or nuisance which must be abated;

(c) A direction to abate the condition, substance, act, or nuisance within a time specified on the notice;

(d) A statement that unless the condition, substance, act, or nuisance is removed, the City may abate the situation, and the cost of abatement will be charged to the owner;

(e) A statement that the owner or person in charge of the property may protest the abatement by giving written notice to the City Manager or his/her designee within ten days from the date of the notice;

(f) A statement that if the cost of abatement is not paid by the owner or person in charge of the property, the cost of abatement may be assessed to and become a lien on the property.

(5) After completion of the posting and mailing, the person posting and mailing the notice shall file this certificate with the City Manager or his/her designee stating the date and place of mailing and posting.

(6) An error in the name or address of the owner or person in charge of the property or use of the name other than that of the owner or person in charge of the property shall not make the notice void, and in such case the posted notice shall be sufficient.

(7) Within ten days after the posting and mailing of the notice, the owner or person in charge of the property shall abate the condition, substance, act, or nuisance specified in the notice, or appeal the City Manager's decision to the City Council as specified in Section 8 hereafter.

(8) Any person who shall receive a notice described in Section 4 may appeal the City Manager's decision by filing a notice of appeal with the City Manager or his/her designee within ten days after the posting and mailing of the notice. The appeal must specify the basis therefore.

(9) The appeal shall be referred to the City Council for a hearing.

(10) If the Council determines that the nuisance does exist, the owner or person in charge of the property shall abate the nuisance within such time as the Council may grant or, if no specific period of time is granted, within ten days of the Council's decision.

(11) If the nuisance has not been abated within the time allowed, the City Manger or his/her designee may cause the nuisance to be abated. Within thirty days of the date that abatement is taken, the City shall provide the owner or person in charge of the property with an accounting for costs of abatement.

(12) The person charged with the abatement of the nuisance shall have the right at reasonable times to enter upon the property to investigate or cause the removal of the situation.

~~7.84.090 Prohibited.~~

~~It is unlawful for any person, or the agent or employees of any person to keep any junk out of doors on any street, or on any lot or premises within the City, or in a building that is not wholly or entirely enclosed except doors used for ingress and egress.~~

7.84.090 Costs to become a lien.

(1) If costs of abatement are not paid within 30 days from:

(a) The date of the notice of costs; or

(b) If an appeal was timely filed, from the date of Council determination of the costs, an assessment of the costs shall be made by resolution and shall be entered in the docket of City liens and recorded with Linn County or Benton County as appropriate. When the entry is recorded in the City lien docket, the assessment shall constitute a lien upon the property subject to the abatement.

(2) The lien shall be enforced in the same manner as liens for assessment for local

~~7.84.130 — Abatement.~~

~~(1) Deadline to Cut. Within 10 days after the third publication of the notice required in AMC Section 7.84.120, or as soon thereafter as a violation of AMC Section 7.84.110 may occur, the owner of the property shall cause the weeds, grass, or other noxious vegetation in violation of AMC Section 7.84.110 to be cut.~~

~~(2) Requested Cutting by City. At the request of the owner, the City Manager or his/her designate will cause grass, weeds, or other noxious vegetation to be cut for a fee sufficient to cover the direct cost plus 30 percent for administrative overhead with a minimum fee of [_____].~~

~~(3) Cutting by City. The City Manager or his/her designate may cause to be cut any weeds, grass, or other noxious vegetation which is in violation of AMC Section 7.84.110 at any time following the deadline to cut set forth at subsection (1) of this section. The cost of the removal of said weeds, grass, and other noxious vegetation shall be as calculated in subsection (2) of this section and will be a charge to the owner of the property and will become a lien against the property.~~

~~(4) Right to Enter. In the event that it becomes necessary for the City Manager or his/her designate to undertake the cutting and removal of the grass, weeds, and other noxious vegetation from any private lot within the City, the designate of the City Manager shall have the right at reasonable times to enter into or upon said property to cut said grass, weeds, and other noxious vegetation.~~

~~(5) Cost to Become a Lien. Upon completion of the clearing of any real property under the provisions of AMC Section 7.84.130 hereof and in the event that the fee is not paid within 30 days thereafter, the City Manager or his/her designate shall file with the City Recorder and thereafter present to the City Council an itemized statement of the cost thereof as specified in AMC Section 7.84.130. After providing the notice and hearing set forth below, the City Council shall, by ordinance determine the reasonableness of said statements of costs and adjust the same, and thereupon the amount of said statements as approved by the City Council shall be an obligation owed to the City of Albany by the owner or owners of the real property involved, and the City shall have a lien upon said real property for such sum and the lien shall be entered in the lien docket and enforced against said property in the same manner provided for the enforcement of City liens.~~

~~(6) Notice and Hearing. Prior to the adoption of the ordinance referred to above, the City Manager or his/her designate shall cause a notice to be mailed by registered or certified mail, postage prepaid, to the record owner or owners of any real property upon which the City proposes to impose a lien for the costs of the clearing of any real property under this section. This notice shall be mailed to the owner or owners of the real property in question at the address designated on the Linn and Benton County real property tax assessment rolls. An error in the name of the property owner or owners shall not void the assessment nor will a failure to receive the notice of the proposed assessment render the assessment void and any lien imposed pursuant to this section shall be a valid lien against the property. The notice shall contain a summary of the costs which are proposed to be assessed against the owner's property and shall advise of the City's intent to assess said costs against the real property upon which the work was performed and shall further advise the owner or owners of their right to a hearing before the City Council concerning the proposed assessment and the date and time of said hearing.~~

~~(7) Summary Abatement. The procedure provided by this chapter is not exclusive but is in addition to abatement procedure provided by other ordinances.~~

7.84.130 Deposit of offensive substances.

It is unlawful for any person to put any animal carcass or part thereof, or any excrement, or any putrid, nauseous, decaying, deleterious, or offensive substances in any stream, well, spring, brook, ditch, pond, or other inland waters within the corporate limits of the City, or to

improvement districts and shall bear interest at judgment rate as determined by the Oregon Revised Statutes. The interest shall commence running on the date of entry of the lien in the City lien docket.

(3) An error in the name of the owner or person in charge of the property shall not void the assessment, nor shall a failure to receive the notice of the proposed assessment render the assessment void, but it shall remain a valid lien against the property.

~~7.84.100 — Exception:~~

~~The provisions of Sections 7.84.070 through 7.84.100 do not apply to junk kept in a duly licensed junkyard or automobile wrecking house.~~

7.84.100 Attractive nuisances.

It is unlawful for any owner, lessee, occupant, or any person having control or custody or management of any premises to suffer or permit to remain unguarded upon such premises any machinery, equipment, or other device having the characteristics of an attractive nuisance or which is liable to attract children. It is further unlawful for any such owner, lessee, occupant, or person having control or custody or management of any such premises to suffer or permit to remain unguarded upon the premises any pit, quarry, cistern, well, or other excavation.

~~7.84.110 — Vegetation over 15 inches high.~~

~~No owner of real property in the City shall allow to remain on his/her property within 50 feet of a public right-of-way, railroad right-of-way, private road, or any structure, including a combustible fence, any weeds, grass, or other noxious vegetation over 15 inches in height unless such is determined not to be a fire hazard by the Fire Chief or his/her designee. Such weeds, grass, or other noxious vegetation may be cut by the City as provided by Section 7.84.130.~~

7.84.110 Injurious substances on street.

It is unlawful for any person, firm, or corporation to permit to accumulate in or upon any yard, lot, or place, or premises on any street, alley, or sidewalk adjacent to or abutting upon any lot, block, place, or premises owned or controlled by him/her, any stagnant water or filth of any kind or to suffer or permit such premises to be or remain in such condition as to cause or produce or create noisome or offensive smell.

~~7.84.120 — Publication and notice:~~

~~Between the 25th of May and the 25th of June of each year, the City Manager or his/her designate shall cause to be published three times in a newspaper of general circulation in the City of Albany a copy of AMC Sections 7.84.110 and 7.84.130 as notice to all owners and persons in charge of real property that they are to keep the property free of all tall grass, weeds, and other noxious vegetation.~~

7.84.120 Animal carcasses.

It is unlawful for any person to suffer or permit the carcass of any animal owned by him/her to remain upon the public streets or ways, and no person who is the owner or occupant of any property shall suffer or permit the carcass of any animal to remain thereon. It shall be the duty of such owner or occupant forthwith to cause the carcass to be buried or other disposition made of the same.

place any such substance in such position that high water or natural seepage will carry the same into any such waters.

7.84.140 — ~~Ongoing sale of household items (garage sales) deemed a nuisance.~~

~~(1) It is unlawful to offer, from a residential address, household items for sale to the general public more than three times per calendar year and in excess of three consecutive days per event.~~

~~(2) Items offered for sale shall not be displayed or stored in the public right-of-way, in a clear vision area, or on another's property without the owner's permission.~~

~~(3) Signs advertising garage sales shall not exceed two on-premises and two off-premises signs measuring no more than four square feet per face and four feet in height. Signs shall be erected no more than one day prior to the event and shall be removed not later than one day after.~~

~~(4) The prohibitions set forth above shall apply jointly and severally to each owner or occupant of the real property used in the commission of the violation and/or any person who offers goods for sale.~~

~~(5) Violation of this section shall be an infraction.~~

7.84.140 Drainage of surface waters.

It is unlawful for the owner, lessee, or occupant of any building or structure to suffer or permit rainwater, ice, or snow to fall from any such building or structure upon any street or sidewalk or to flow across any such sidewalk, and every such owner, lessee, or occupant shall at all times keep and maintain in a proper state of repair adequate drainpipes or a drainage system sufficient to carry to the street any overflow water accumulating on the roof or about such building.

7.84.150 Creating a hazard.

A person commits the crime of creating a hazard if:

(1) He/she intentionally maintains or leaves in a place accessible to children a container with a compartment of more than one and one-half cubic feet capacity and a door or lid which locks or fastens automatically when closed and which cannot be easily opened from the inside; or

(2) Being the owner or otherwise having possession of property upon which there is a well, cistern, cesspool, excavation or other hole of a depth of four feet or more and a top width of 12 inches or more and he/she intentionally fails or refuses to cover or fence it with a suitable protective construction.

7.84.160 Vegetation over 15 inches high.

No owner of real property in the City shall allow to remain on his/her property within 50 feet of a public right-of-way, railroad right-of-way, private road, or any structure, including a combustible fence, any weeds, grass, or other noxious vegetation over 15 inches in height unless such is determined not to be a fire hazard by the Fire Chief or his/her designee. Such weeds, grass, or other noxious vegetation may be cut by the City as provided by Section 7.84.180.

7.84.170 Publication and notice.

Between the 25th of May and the 25th of June of each year, the City Manager or his/her designate shall cause to be published three times in a newspaper of general circulation in the City of Albany a copy of AMC Sections 7.84.160 and 7.84.180 as notice to all owners and persons in charge of real property that they are to keep the property free of all tall grass, weeds, and other noxious vegetation.

7.84.180 Abatement.

(1) **Deadline to Cut.** Within 10 days after the third publication of the notice required in AMC Section 7.84.170, or as soon thereafter as a violation of AMC Section 7.84.160 may occur, the owner of the property shall cause the weeds, grass, or other noxious vegetation in violation of AMC Section 7.84.160 to be cut.

(2) **Requested Cutting by City.** At the request of the owner, the City Manager or his/her designate will cause grass, weeds, or other noxious vegetation to be cut for a fee sufficient to cover the direct cost plus 30 percent for administrative overhead with a minimum fee of [].

(3) **Cutting by City.** The City Manager or his/her designate may cause to be cut any weeds, grass, or other noxious vegetation which is in violation of AMC Section 7.84.160 at any time following the deadline to cut set forth at subsection (1) of this section. The cost of the removal of said weeds, grass, and other noxious vegetation shall be as calculated in subsection (2) of this section and will be a charge to the owner of the property and will become a lien against the property.

(4) **Right to Enter.** In the event that it becomes necessary for the City Manager or his/her designate to undertake the cutting and removal of the grass, weeds, and other noxious vegetation from any private lot within the City, the designate of the City Manager shall have the right at reasonable times to enter into or upon said property to cut said grass, weeds, and other noxious vegetation.

(5) **Cost to Become a Lien.** Upon completion of the clearing of any real property under the provisions of AMC Section 7.84.180(3) hereof and in the event that the fee is not paid within 30 days thereafter, the City Manager or his/her designate shall file with the City Recorder and thereafter present to the City Council an itemized statement of the cost thereof as specified in AMC Section 7.84.180(2). After providing the notice and hearing set forth below, the City Council shall, by ordinance determine the reasonableness of said statements of costs and adjust the same, and thereupon the amount of said statements as approved by the City Council shall be an obligation owed to the City of Albany by the owner or owners of the real property involved, and the City shall have a lien upon said real property for such sum and the lien shall be entered in the lien docket and enforced against said property in the same manner provided for the enforcement of City liens.

(6) **Notice and Hearing.** Prior to the adoption of the ordinance referred to above, the City Manager or his/her designate shall cause a notice to be mailed by registered or certified mail, postage prepaid, to the record owner or owners of any real property upon which the City proposes to impose a lien for the costs of the clearing of any real property under this section. This notice shall be mailed to the owner or owners of the real property in question at the address designated on the Linn and Benton County real property tax assessment rolls. An error in the name of the property owner or owners shall not void the assessment nor will a failure to receive the notice of the proposed assessment render the assessment void and any lien imposed pursuant to this section shall be a valid lien against the property. The notice shall contain a summary of the costs which are proposed to be assessed against the owner's property and shall advise of the City's intent to assess said costs against the real property upon which the work was performed and shall further advise the owner or owners of their right to a hearing before the City Council concerning the proposed assessment and the date and time of said hearing.

(7) **Summary Abatement.** The procedure provided by this chapter is not exclusive but is in addition to abatement procedure provided by other ordinances.

7.84.190 Ongoing sale of household items (garage sales) deemed a nuisance.

(1) It is unlawful to offer, from a residential address, household items for sale to the general public more than three times per calendar year and in excess of three consecutive days per event.

(2) Items offered for sale shall not be displayed or stored in the public right-of-way, in a clear vision area, or on another's property without the owner's permission.

(3) Signs advertising garage sales shall not exceed two on-premises and two off-premises signs measuring no more than four square feet per face and four feet in height. Signs shall be erected no more than one day prior to the event and shall be removed not later than one day after.

(4) The prohibitions set forth above shall apply jointly and severally to each owner or occupant of the real property used in the commission of the violation and/or any person who offers goods for sale.

(5) Violation of this section shall be an infraction.

DATED this 25th day of October, 1995.

PASSED BY COUNCIL: October 25, 1995


APPROVED BY MAYOR: October 25, 1995

EFFECTIVE DATE: November 24, 1995



Mayor

ATTEST:



Deputy City Recorder