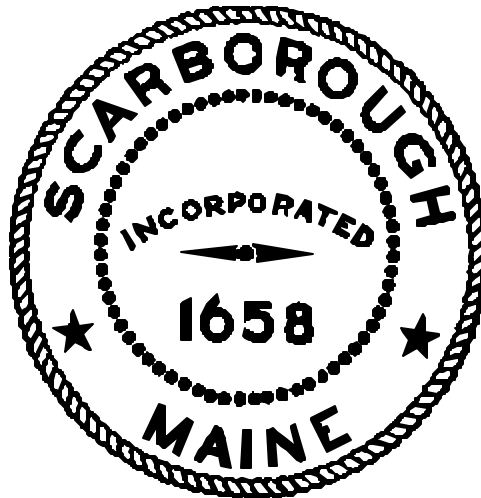


CHAPTER 414

TOWN OF SCARBOROUGH

ORDINANCE PROHIBITING SIGNS ON

UTILITY POLES



Adopted 04/04/01

CHAPTER 414
TOWN OF SCARBOROUGH
ORDINANCE PROHIBITING SIGNS ON UTILITY POLES

1. Definitions.

“Public way” means any town way or state highway as defined in Title 23 of the Maine Revised Statutes.

“Sign” means an object, device, display, structure, or part thereof, situated outdoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by means of words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images. The term sign includes, without limitation, posters, placards, flyers, leaflets, handbills, circulars and any kinds of posted notices.

2. Placement of Signs on Utility Poles and Similar Structures Prohibited.

No person shall place or cause to be placed any sign on any utility pole, light pole, traffic control device or tree within the right of way of any public way.

3. Violations, Penalties and Remedies.

- a. Any person who places or causes to be placed a sign in violation of this ordinance commits a civil violation for which a civil penalty of no less than \$100 and no more than \$250 shall be imposed. Each day a sign remains in violation of this ordinance constitutes a separate violation.
- b. In lieu of or in addition to seeking civil penalties, the Town of Scarborough may remove any sign existing in violation of this ordinance according to the following procedure:
 - (1) Prior to removing a sign, the Town shall attempt to contact the owner of the sign based on any identifying information, which appears on the sign.
 - (2) If the Town succeeds in contacting the owner of the sign, the Town shall order the owner to remove the sign within 24 hours and notify the owner that if the owner does not remove the sign, the Town will remove the sign and destroy it. Such order and notification may be oral or written.
 - (3) If the owner does not remove the sign within 24 hours after being ordered to do so or if the Town is unable to contact the owner of the sign, the Town may remove the sign and store it in a secure location on Town property.
 - (4) The Town shall store the sign for at least seven days. If by the end of the seven days the owner has not reclaimed the sign, the Town may destroy or otherwise dispose of the sign.

4. Enforcement.

This ordinance shall be enforced by the Town of Scarborough Code Enforcement Officer.

5. Relation to Other Ordinances.

This ordinance applies in addition to the restrictions and requirements applicable to signs under the Zoning Ordinance of the Town of Scarborough, Maine and any other Town ordinance. In the event of conflict or inconsistency between applicable ordinances, the more restrictive ordinance shall govern.

6. Exemption.

This ordinance does not apply to signs placed by governmental authorities.

7. Severability.

Should any section or provision of this ordinance be declared invalid by a court, such decision shall not invalidate any other section or provision.