



Chapter 3 – USE AND OCCUPANCY OF PUBLIC PROPERTY

- A. **UNLAWFUL TO OBSTRUCT PUBLIC WAY:** It shall be unlawful for any person to place upon or construct upon any sidewalk, street, alley or other public way or upon any natural watercourse or improved drainway any encumbrance or obstruction, such as, but not limited to, earth fill, building materials, fences, platforms, stairs, railings or barricades (hereafter "offending object"), except under the terms of a revocable permit as provided in this part.
- B. **NOTICE TO REMOVE OFFENDING OBJECTS:** The Mayor or Utilities Executive Director shall notify in writing the owner, agent or person responsible for the placing or construction of the offending object, when that owner, agent or person is known to the Manager or Director, to remove the same within a reasonable time and restore the public way to its former state. If the offending object has not been removed at the expiration of the time stated in the notice, the Mayor or Utilities Executive Director shall cause the same to be removed and stored and all necessary correction work performed to restore the public way or watercourse to its former state, all at the expense of the owner.
- C. **ABANDONED OBJECTS BECOME CITY PROPERTY:** If within thirty (30) days the offending object has not been reclaimed and all costs of removal and restoration of the public way paid, the same shall be presumed to have been abandoned and the Mayor or Utilities Executive Director may declare the same to be City property. The same may be used or disposed of in the same manner as other City property.
- D. **REVOCALE PERMITS:**
1. **SIGNS AND SIGN POSTS PROHIBITED ON PUBLIC WAYS:** It shall be unlawful for any person to place upon or construct upon any sidewalk, street, alley or other public way or upon any natural watercourse or improved drainway any sign or signpost except under the terms of a revocable permit as provided in this part. The Code Enforcement Administrator or a designated representative shall be authorized to remove and dispose of any unauthorized sign or signpost without notification to the owner.
 2. **EXCEPTIONS:** The provision of subsection D1 of this section shall not apply to any sign or signpost between the hours of one minute after twelve o'clock (12:01) P.M. on Friday through twelve o'clock (12:00) noon on Monday, provided that it is not placed upon any median, park property, utilities easement or pole, but is placed within the public right of way and meets the following minimum standards:
 - a. The sign does not exceed six (6) square feet in area;
 - b. The sign is not placed within the downtown core as defined in subsection 7.4.414F of this Code; and
 - c. The sign is not placed in the right of way adjacent to any residentially zoned property, unless express permission is granted by the property owner.