

TURTLE CREEK BOROUGH

ORDINANCE NO. 1123

AN ORDINANCE PROVIDING FOR THE ELIMINATION AND TOTAL BAN OF POLITICAL SIGNS ON PUBLIC PROPERTY AND THE MANDATORY REMOVAL OF SUCH SIGNS; PROVIDING FOR PENALTIES FOR THE VIOLATION OF THIS ORDINANCE; EFFECTIVE DATE.

WHEREAS, the Borough of Turtle Creek has experienced a problem with the posting of political signs when the persons posting the same put them in place an inordinate time preceding the event and when they fail to remove them following the election; and

WHEREAS, the Borough has experienced significant expense in removing the signs and has suffered the eyesore and nuisance of signs which have not been removed; and

WHEREAS, the only reasonable solution is to totally ban the posting of such signs on public property; and

WHEREAS, this Ordinance is deemed to be in the best interests of the residents of the Borough and is passed pursuant to the authority of the Borough Code.

AND NOW, THEREFORE, IT IS HEREBY ORDAINED AS FOLLOWS:

Section One:

For purposes of this Ordinance, the following terms shall have the meanings set forth herein:

"Sign" shall mean any poster, notice, placard, board or display intended to carry a message relative to an election and/or the candidacy of a person or committee for public office.

"Person" shall mean an individual, committee, candidate, corporation, association, partnership or any other legal entity.

Section Two:

No person shall post, erect or cause to be posted or erected any sign in public property or right of way in the Borough of Turtle Creek promoting any political party or the candidacy of any person for a public office.

Section Three:

It shall be presumed that the person who advertised, promoted or is depicted on the temporary sign, is the person who benefitted from the display of the temporary sign and was the person who erected or caused to be erected such sign. Such benefitted person shall be bound by the provisions of this Ordinance.

Section Four:

For each violation of this Ordinance the person found guilty shall be subject to a civil fine of \$100.00 plus costs for each sign erected in violation of this Ordinance.

Section Five:

If any portion of this Ordinance is illegal or unconstitutional, then it is deemed to be the intent of Turtle Creek Borough Council that the balance of this Ordinance would have been enacted irrespective of said invalid portion.

Section Six:

This Ordinance shall take effect immediately.

ORDAINED into law this 29th day of DECEMBER, 2003.

ATTEST:

TURTLE CREEK BOROUGH

By *Thomas B. Carter*

By *N. B.*

Secretary

President