

BILL NO. 2775

ORDINANCE NO. _____

AN ORDINANCE CREATING SECTION 26-3 OF THE CITY CODE TO PROHIBIT THE PLACEMENT OF SIGNS WITHIN THE RIGHTS-OF-WAY AND ESTABLISHING THE CITY'S AUTHORITY TO REMOVE ANY AND ALL SIGNS IN THE RIGHTS-OF-WAY WITHIN THE CITY OF CHESTERFIELD, MISSOURI.

WHEREAS, the City of Chesterfield recognizes the danger of placing signs in the rights-of-way and the visual distraction caused by such signs to vehicular traffic and pedestrians; and,

WHEREAS, the City of Chesterfield seeks to promote the safe operation of vehicles and provide for safe pedestrian travel within the publicly maintained rights-of-way; and,

WHEREAS, the City of Chesterfield seeks to promote safety and attentive driving; and,

WHEREAS, appropriate signage and traffic control devices are identified within the Manual on Uniform Traffic Control; and,

WHEREAS, the City of Chesterfield is continuously concerned with the aesthetics of its community and desires to avoid visual clutter within the rights-of-way; and

WHEREAS, the City of Chesterfield seeks to append Chapter 26 – STREETS AND SIDEWALKS, of the City Code by creating Division 3. SIGNS AND OBJECTS WITHIN THE RIGHT OF WAY to regulate the placement of signs in the rights-of-way and authorize the City to remove any signs or other attention getting devices placed within the rights-of-way that are not related to traffic control..

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. This ordinance shall be codified as section 26-3 of the Municipal Code of the City of Chesterfield.

Chapter 26 shall be appended by incorporating Division 3 as follows:

ARTICLE I. IN GENERAL

DIVISION 3. SIGNS AND OBJECTS WITHIN THE RIGHT OF WAY

Sec. 26-3. Signs Placed in Rights of Way - Prohibited

- (a) *Signs in the rights-of-way.* It shall be unlawful for any person to place, post, attach or in any way deposit or cause to be placed, posted, or attached any sign, poster, handbill, attention getting device, paper or other similar article or item at any time within the rights-of-way adjacent to any public street or upon any utility pole or official traffic-control

device, or cause the same to be done by another within the public right-of-way.

- (b) Any sign, poster, attention getting device, paper or other similar article or item placed in the right-of-way in violation of section (a) may be removed and confiscated by the City of Chesterfield.
- (c) It shall be unlawful for any person to litter, scatter, place or in any way deposit or cause to be scattered, placed or deposited any article or thing within the public right-of-way or upon public property.
- (d) *Traffic control devices.* Nothing in this section shall prevent the City of Chesterfield, its personnel, agents or contractors from placing, erecting, or otherwise constructing appropriate traffic control devices or other devices necessary within the roadway for the safe and efficient flow of vehicular and pedestrian traffic.
- (e) *Rights of the City.* Nothing in this section shall prevent the City of Chesterfield from implementing any traffic or roadway measures deemed necessary, or prevent the City of Chesterfield or other public service agency serving Chesterfield from blocking streets, erecting barricades, or using other means to protect life and/or property, or preserve the peace.
- (f) *Continuing violation.* Each location, occurrence and day that such object shall be in place shall be a separate violation punishable as established by subsection (g).
- (g) *Penalties.* Any person who violates the provisions of this section shall be subject to a fine of not more than One Thousand dollars (\$1,000.00), or imprisonment of not more than ninety (90) days or by both such fine and imprisonment for each separate offense.

Section 2. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this _____ day of _____, 2010.

MAYOR

ATTEST:

CITY CLERK

First Reading Held: _____