

**PART SEVEN  
GENERAL OFFENSES CODE**

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### **720.01 PURPOSE**

Litter, dumping and graffiti are costly problems that contribute to the deterioration of property values and general disorder in a community. Litter and littered properties degrade the physical appearance of the City which reduces business and tax revenue and inhibits economic development. The quality of life and community pride of Allentown's citizens are negatively affected by litter, dumping, and graffiti. Recognizing these are community problems, the purpose of this ordinance is to promote the health, safety and general welfare of the City by helping to create a clean environment for the citizens of Allentown. (13008 §1 11/7/90; 14262 §1 3/3/05)

### **720.02 DEFINITIONS**

The following words, terms and phrases when used in this article shall be defined as follows, unless the context clearly indicates otherwise:

1. **Authorized Litter Receptacle** is a litter collection receptacle which is placed on the public right-of-way or on public property by the City for use by the public to deposit small quantities of hand-held trash, but not household or commercial waste. (13008 §1 11/7/90; 14262 §1 3/3/05)

2. **Damaged and deteriorated furniture or motor vehicle seat** means any item of indoor or outdoor furniture or any portion of a motor vehicle designed to accommodate seating for a driver or passenger or both which presents a hazard or danger to the public by virtue of its state or condition of disrepair. The following conditions, if present, are examples of a state or condition of disrepair.

- a. Rusted and/or jagged metal or exposed springs on or protruding from an item of furniture or motor vehicle seat;
- b. Broken or missing legs, arms or other structural or support components which would make the item of furniture or motor vehicle seat unstable and unsafe;
- c. Storage or placement of furniture or a motor vehicle seat in an unbalanced condition, such as leaning against a wall for support;
- d. Harboring of rodents, insects or other pests. (13222 §1 10/20/93)
- e. Unclean or unsanitary by virtue of condition. (13344 §1 8/3/95)

The foregoing examples are not exclusive of all conditions which may constitute a state or condition of disrepair.

3. **Dumping** includes, but is not limited to, depositing of litter, depositing durable goods (refrigerators, washers, dryers, etc.) small appliances, furniture, carpets, tires, vehicles, vehicle parts and automotive products and other such municipal waste, hazardous waste, residual waste and construction or demolition debris on public or private property, except as authorized by Article 1131, Solid Waste Storage, Collection and Disposal Ordinance. (13008 §1 11/7/90; 13222 §1 10/20/93; 13344 §1 8/3/95; 14262 § 3/3/05)

4. **Graffiti** shall include any and all unauthorized inscriptions, words, figures, paintings, or other defacements that is written, marked, etched, scratched, sprayed, drawn, painted or engraved on or otherwise affixed to any surface of public or private property. Graffiti shall not be construed to apply to easily removable chalk markings on the public sidewalk and streets used in connection with traditional children's games. (13343 §1 6/22/95)

5. **Hazardous Waste** means any waste material or a combination of solid, liquid, semisolid, or contained gaseous material that because of its quantity, concentration, physical, chemical, or infectious characteristics may:

a. Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating illness; and

b. Pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of or otherwise managed. (13344 §1 8/3/95)

6. **Household Hazardous Waste (HHW)** is waste which would be chemically or physically classified as a hazardous waste but is excluded from regulation as a hazardous waste because it is produced in quantities smaller than those regulated by the Pennsylvania Department of Environmental Protection, and because it is generated by persons not otherwise covered as hazardous waste generators by those regulations. Such HHW materials meet one of the following four classifications: Toxic; Flammable; Reactive; or Corrosive. HHW consists of numerous products that are common to the average household such as: Pesticides and herbicides, cleaners, automotive products, paints, and acids. (14262 §1 3/3/05)

7. **Litter** includes, but is not limited to, all waste material, garbage, trash, i.e. waste paper, tobacco products, wrappers, food or beverage containers, newspapers, etc., municipal waste, human waste, damaged and deteriorated furniture or motor vehicle seats, vehicle parts, automotive products, recyclable material, dirt, mud and yard waste that has been abandoned or improperly discarded, deposited or disposed. (14262 §1 3/3/05)

8. **Minor** shall mean any person under the age of eighteen (18) years. (13008 §1 11/7/90)

9. **Municipal waste** means any garbage, refuse, industrial, lunchroom or office waste, and other material including solid, liquid, semisolid, or contained gaseous material resulting from operation or residential, municipal, commercial, or institutional establishments or from community activities and which is not classified as residual waste or hazardous waste as defined herein. (13008 §1 11/7/90; 13222 §1 10/20/93; 13344 §1 8/3/95; 14262 §1 3/3/05)

10. **Notice of violation** is a written document issued to a person in violation of a city ordinance which specifies the violation and contains a directive to take corrective action within a specified time frame or face further legal action. (14262 §1 3/3/05)

11. **Person** means every natural person, firm, corporation, partnership, association, or institution. (13008 §1 11/7/90)

12. **Planter Strip** is the non-concrete space in the sidewalk area filled with dirt and/or grass. (14262 §1 3/3/05)

13. **Private Property** means any land and the improvements thereon owned by any person and includes front, side and rear yards; vacant lots, buildings and other structural improvement; walkways and alleyways; and parking areas, designed or used either wholly or in part for private residential, industrial or commercial purposes, whether inhabited or temporarily or continuously uninhabited or vacant, including any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure. (13008 §1 11/7/90; 13344 §1 8/3/95)

14. **Public Officer** means any police officer, authorized inspector, or public official designated by the Mayor to enforce the City Ordinances. (13344 §1 8/3/95; 13833 §1 5/4/00)

15. **Public Right-of-Way** means the total width of any land used, reserved or dedicated as a street, alley, driveway, sidewalk or utility easement, including curb and gutter areas. (13008 §1 8/3/95)

16. **Recyclable Material** means material which would otherwise become municipal waste, which can be collected, separated or processed, and returned to the economic mainstream in the form of raw materials or products. These materials are designated by the regulations promulgated under Article 1137, Residential Recycling.

17. **Residual Waste** means any discarded material or other waste including solid, semisolid or contained gaseous materials resulting from construction, industrial, mining, and agricultural operations excluding municipal water and sewer operations. (13344 §1 8/3/95)

18. **Responsible Agent** means any person residing or working within the County of Lehigh designated to accept service on behalf of a legal owner or operator of a rental dwelling unit. (14262 § 3/3/05)

19. **Shade Tree**, unless otherwise specified, includes all trees, shrubs, and woody vegetation in the public right of way. (14262 §1 3/3/05)

20. **Sidewalk Area** means the public right-of-way between the property line and the curblineline or the established edge of the roadway. (14262 §1 3/3/05)

21. **Shopping or Grocery Cart** includes any small or light vehicle, typically found at retail stores, that is moved by hand and used to carry groceries and other such items. (13008 §1 11/7/90; 14262 §1 3/3/05)

22. **Tree Well** is the non-concrete area surrounding a shade tree planted in a sidewalk area. (14262 §1 3/3/05)

23. **Violation Ticket** is a form issued by a police officer or public officer to a person

who violates a provision of this Article. The violation ticket is an offer by the City of Allentown extended to a person to settle a violation by paying the fine in lieu of a citation being issued against the violator. (14262 §1 3/3/05)

### **720.03 DEPOSIT OF LITTER PROHIBITED**

No persons shall throw, scatter, deposit or sweep litter, or cause litter to be on any public place, such as a street, sidewalk, park or playground, nor onto any private property, except in authorized receptacles. (13008 §1 11/7/90; 13344 §1 8/3/95; 13356 §3 10/5/95; 14262 §1 3/3/05)

### **720.04 USE OF AUTHORIZED LITTER RECEPTACLES**

A. No person shall deposit household or commercial waste in an authorized litter receptacle. Only small quantities of hand-held trash may be placed in authorized litter receptacles.

B. Persons shall deposit litter in authorized litter receptacles in such a manner as to prevent it from overflowing the receptacle. (13344 §1 8/3/95)

C. No person shall damage, deface, abuse or misuse any litter receptacle so as to interfere with its proper function or to detract from its proper appearance.

### **720.05 DEPOSITING LITTER IN STORM SEWER**

No person shall throw, scatter or deposit litter in any storm sewer inlet in the City. (13344 §1 8/3/95)

### **720.06 HANDBILLS, NEWSPAPERS AND POSTED ADVERTISEMENTS**

A. No person shall place any commercial or noncommercial handbill or other forms of written material with the exception of legal notice or citation in or upon any vehicle parked on private property without the permission of the owner or in the public right-of-way or in municipally-owned parking lots or garages, including those of the Parking Authority of the City of Allentown. (13444 §1 8/3/95)

B. No person shall deliver or distribute newspapers or advertising matter to any premises unless it is handed to the recipient, placed on the driveway, porch, stoop or entrance way of the building or firmly affixed to a building so as to prevent the newspaper or advertising matter from being blown about, becoming scattered or in any way causing litter. It shall be unlawful to distribute these materials as described above if the owner or occupant has informed the person delivering or causing delivery that he/she does not wish to receive it.

C. No person shall post or affix any advertisement, notice, poster or other paper or device, to any lamp post, street sign, public utility pole or tree or upon any public structure or building, except as may be authorized or required by law. (14262 § 3/3/05)

### **720.07 ILLEGAL DUMPING**

A. No person shall dump or cause to be deposited trash, debris, municipal waste, durable goods (refrigerator, washer, dryer, etc.), small appliances, furniture, carpets, shopping carts, tires, vehicles, vehicle parts, automotive products, construction or demolition material or other such items on public or private property, except as authorized by Article 1131, Solid Waste Storage, Collection and Disposal. (13344 §1 8/3/95; 14262 § 3/3/05)

B. No person shall dump or cause to be deposited household hazardous, hazardous or residual waste on public or private property.

### **720.08 LITTER FROM VEHICLES**

A. No person shall throw, scatter or deposit litter from a vehicle upon any public street or other public place within the City, or upon private property. (13344 §1 8/3/95; 14262 § 3/3/05)

B. The owner or operator of any motor vehicle from which the aforementioned litter is thrown, discharged, dumped, deposited, placed, left or caused to be thrown, discharged, dumped, deposited, placed or left shall be presumed to be the person depositing such litter. (13344 §1 8/3/95)

C. No person shall operate a vehicle unless the vehicle is so constructed or loaded as to prevent its contents from falling, being blown, scattered or deposited upon any street, other public place or private property. Nor shall any person drive or move any vehicle or truck within the City, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind. (14262 §1 3/3/05)

#### **720.09 MAINTAINING PROPERTY**

A. No owner, possessor or responsible agent of real property shall permit litter to accumulate on the property and adjacent sidewalk area including the tree well and planter strip for more than twenty-four (24) hours. It shall be the owner's, possessor's or responsible agent's duty to daily remove such litter to prevent any such accumulation. (14262 §1 3/3/05)

B. No owner, possessor or responsible agent of real property shall accumulate items such as furniture, durable goods (refrigerators, washers, dryers, etc.) small appliances, carpets, tires, vehicles, vehicle parts, automotive products or municipal waste, hazardous waste, residual waste or construction or demolition debris on the exterior of the property if it poses a threat to the physical appearance, safety or public health of the community or if their presence creates the potential for a public nuisance. (14262 §1 3/3/05)

C. The owner, possessor or responsible agent of a commercial or institutional property may be required to procure, place, empty and maintain a sufficient number of litter receptacles on their property for public use by its customers to prevent the chronic accumulation of litter. These litter receptacles may not be placed in the public right of way. 14262 § 3/3/05)

D. No owner or responsible agent of real property shall permit graffiti to remain on such property for more than ten (10) days and it shall be the owner's, or responsible agent's duty to remove or cause to be removed such graffiti. 14262 § 3/3/05)

#### **720.10 GRAFFITI**

(14262 § 3/3/05)

A. No person shall apply graffiti to any natural or man-made surface on public or private property.

B. All persons directly or indirectly involved in the acts of graffiti may be found to be equally responsible and guilty of the act, in addition to the individual who may personally deface the object or area, such as others in a group who knowingly made available the tools, writing material, ladders, lookouts, materials or assistance, or who knowingly supplied funds to acquire such materials for such purposes. (13008 §1 11/7/90; 13343 §2 6/22/95; 14262 § 3/3/05)

C. Writing, drawing, printing or marking with ink, paint, chalk or other substances on any real or personal property shall be permitted only to the extent that compliance with Article 1343 of the Zoning Code, relating to signs, has been met and upon the procurement of a permit from the City where the following conditions are met:

1. The permit shall specify the size, location and the materials to be used and shall include a small design of the proposed writing, drawing, printing or marking. A signed, notarized statement authorizing permission for the writing, drawing, printing or marking from the record owner of the property or a duly authorized agent must also be included with the permit application.

2. No writing, drawing, painting or marking shall contain any threats or offensive language.

3. A permit fee, established by the City of Allentown shall be paid in full to the Department of Administration and Finance. (13343 §1 6/22/95; 14262 § 3/3/05)

#### **720.11 SALE AND POSSESSION OF PRESSURIZED CANS CONTAINING PAINT AND CERTAIN MARKERS PROHIBITED**

##### **A. Sale or Purchase of Spray Paint and Markers.**

1. It is unlawful for any person to sell, exchange, give or loan, or cause or permit to be sold, exchanged, given or loaned, any pressurized can containing any substance commonly known as paint or dye and any marker containing a fluid which is not water soluble and has a point, brush, applicator or other writing surface of three-eighths of an inch or greater to anyone under the age of eighteen (18) years. (13397 §1 6/7/96)

2. It is unlawful for anyone under the age of eighteen (18) years to purchase any pressurized can containing paint or dye or marker as defined above.

3. No person shall aid, assist or abet a person under the age of 18 in obtaining possession of paint in a spray can or any marker containing a fluid which is not water soluble and has a point, brush, applicator or other writing surface of three-eighths of an inch or greater.

##### **B. Possession of Spray Paint and Markers by Minors; and Exemptions:**

1. It shall be unlawful for any person under the age of eighteen (18) to have, in their possession, any pressurized can containing any substance commonly known as paint, or dye, or any marker containing a fluid which is not water soluble and has a point, brush, applicator or other writing surface of three-eighths of an inch or greater while on any public highway, street, alley or way, park, playground, swimming pool, or other public place or property, or on private property unless the owner of that property consented to the presence of the paint or marker. (13397 §1 6/7/96)

2. This prohibition shall not apply to a child using paint or a marker while under the immediate supervision of their parent or legal guardian; a student under direct supervision of their teacher or an employee using paint or a marker at the direction and under the supervision of their employer.

##### **C. Prohibition of Spray Paint in Public Parks and Buildings**

It is unlawful for any person to have, in his possession, any pressurized can containing any substance commonly known as paint or dye or any marker containing a fluid which is not water soluble and has a point, brush, applicator or other writing surface on three-eighths of an inch or greater while in any public park, playground, swimming pool, recreational facility, (other than a highway, street, alley or way), except authorized employees of the City of Allentown or an individual or authorized employee of an individual or company under contract with the City of Allentown. (13397 §1 6/7/96)

##### **D. Fraudulent Evidence**

No minor shall, at the times of purchase of items specified in this section, knowingly furnish fraudulent evidence of age when furnishing identification which must be in the form of a motor vehicle operator's license, a registration certificate issued under the Federal Selective Service Act, an identification card issued to a member of the Armed Forces, or any document issued by a federal, state, county or municipal government. (13397 §1 6/7/96)

#### **720.12 SHOPPING CARTS**

A. No person shall use a shopping or grocery cart to transport groceries, goods or other items in the public right of way unless that person is the owner of the shopping or grocery cart.

B. All shopping or grocery carts shall be identified in a prominent and conspicuous manner. The identification must include the name of the establishment wherein the carts are used or the owner thereof. (13008 §1 11/7/90)

C. All stores that provide shopping carts shall post a notice at all store exits pertaining to the prohibitions in Part A, and that violators are subject to a fine of not less than Fifty (\$50) Dollars, nor more than One Thousand (\$1,000) Dollars should they leave the premises with a shopping cart. (13833 §1 5/4/00; 14229 §1 11/18/04)

D. Shopping carts that have been removed from their premises and left elsewhere on public or private property must be retrieved by their owners within twenty-four (24) hours of notification.

E. Unidentified or unattended shopping carts not retrieved by their owner after the notification period may be declared abandoned and subject to confiscation by the City or by an authorized agent of the City.

#### **720.90 VIOLATIONS BY A MINOR**

A. Any violation of the provisions of this Article by a minor ten (10) years of age and older may be cause for a citation, a violation ticket and/or a notice of violation to be issued to the minor or to the parent or legal guardian of the minor. Any violation of the provisions of this Article by a minor under the age of ten (10) may be cause for a citation, a violation ticket and/or a notice of violation to be issued to the parent or legal guardian of the minor.

B. It shall be unlawful for any parent, legal guardian or other person having custody and care of any minor child under the age of eighteen (18) years to knowingly assist, aid, abet, allow, permit or encourage said minor to violate the provisions of this Article, as herein defined, either by words, overt act, or by failing to act. (13343 §2 6/22/95)

#### **720.94 ENFORCEMENT**

A. The provisions of this Article shall be enforced by police officers, or any other public officer authorized to enforce ordinances. (14262 §1 3/3/05)

B. Any violation of the provisions of this Article may be cause for a citation, a violation ticket and/or a notice of violation to be issued to the violator. (14262 §1 3/3/05)

C. A notice of violation or violation ticket shall be served upon a violator by handing it to the violator, by handing it at the residence of the person to be served to an adult member of the household or other person in charge of the residence, by leaving or affixing the notice or violation ticket to the property where the violation exists, by handing it at any office or usual place of business of the violator, to his/her agent or to the person for the time being in charge thereof, or by mailing the notice to the violator's address of record. (13344 §1 8/3/95;14262 §1 3/3/05)

D. Each day a violation continues or is permitted to continue may constitute a separate offense for which a separate fine may be imposed.

E. A public officer is authorized and empowered to cause a violation to be corrected.

F. If the City has effected the correction of the violation, the cost thereof may be charged to the owner of the property, tenant or offending party. The cost shall be determined by the Manager of Recycling and Solid Waste or designee in order that the City shall be compensated for both direct and indirect costs and expenses incurred. (13344 §1 8/3/95; 13356 §1 10/5/95)

#### **720.95 REGULATIONS**

The City may publish and post any regulations governing the procedures and enforcement of any provisions of this Article. (13344 §1 8/3/95)

#### **720.97 VIOLATION TICKET APPEALS PROCESS**

A. A person in receipt of a violation ticket may appeal to the Bureau of Recycling & Solid Waste by filing a request within ten (10) days of receipt of the violation ticket.

B. A Hearing Officer, designated by the Manager of the Bureau of Recycling & Solid Waste, may uphold the Appeal, deny the Appeal or may modify the violation ticket and/or any associated costs, fines or penalty amounts. (14262 §1 3/3/05)

#### **720.98 SEVERABILITY**

If any provision, paragraph, word, section or subsection of this Article is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, sections, or subsection shall not be affected and shall remain in full force and effect. (13222 §1 10/20/93; 13344 §1 8/3/95)

#### **720.99 FINES AND PENALTIES**

A. Violation Ticket Fines

1. Violation tickets shall be issued in the amounts of Twenty-five (\$25) Dollars or One Hundred (\$100) Dollars. (14262 § 3/3/05)

2. Any person who receives a violation ticket for any violation of this Article, may within ten (10) days, admit the violation, waive a hearing and pay the fine in full satisfaction of twenty-five (\$25) dollars or one hundred (\$100) dollars, as indicated on the violation ticket.

B. Violation Ticket Penalties

1. If the person in receipt of a twenty-five (\$25) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a ten (\$10) dollar penalty for days eleven (11) through twenty (20).

2. If the person in receipt of a one hundred (\$100) dollar violation ticket does not pay the fine or request a hearing within ten (10) days, the person will be subject to a twenty-five (\$25) dollar penalty for days eleven (11) through twenty (20).

3. Failure of the person to make payment within twenty (20) days shall make the person subject to a citation.

### C. Citation Fines

1. Any person, firm or corporation who shall fail, neglect or refuse to comply with any of the terms or provisions of this Article, except Section 725.07, or of any regulation or requirement pursuant hereto and authorized hereby shall, upon conviction, be ordered to pay a fine not less than Fifty (\$50.00) Dollars, nor more than One Thousand (\$1,000) Dollars on each offense or imprisoned no more than ninety (90) days, or both. (13222 §1 10/20/93; 13344 §1 8/3/95; 13356 §5 10/5/95; 13397 §2 6/7/96; 13833 §1 5/4/00; 14026 §1 10/17/02)

2. Any person, firm or corporation who shall fail, neglect or refuse to comply with the provisions of Section 725.07 of this Article shall, upon conviction, be ordered to pay a fine not less than Three Hundred (\$300.00) Dollars, nor more than One Thousand (\$1,000) Dollars on each offense or imprisoned no more than ninety (90) days, or both. In addition, the Magisterial District Judge may impose any other such remedy deemed proper, including, without limitation, an order to clean up unlawful dump sites. (14262 § 3/3/05)

### D. Restitution 14262 § 3/3/05)

The Magisterial District Judge may order the violator to make restitution to said real or personal property owner. (14262 § 3/3/05)

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## ARTICLE 721 ABANDONED REFRIGERATORS

721.01 Abandoned Refrigerators  
721.99 Penalty

CROSS REFERENCES  
Refrigerators and Iceboxes - 18 P.S. §6502

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### 721.01 ABANDONED REFRIGERATORS

A. No person shall leave outside of any building or dwelling in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator or any other container of any kind which has a door or lock which may not be released for opening from the inside of such icebox, refrigerator or container. (7360 §1 11/4/53)

B. No person shall leave outside of any building or dwelling in a place accessible to children any abandoned, unattended or discarded icebox, refrigerator or any other container of any kind which has a snap-lock or other device thereon without first removing the snap-lock or doors from such icebox, refrigerator or container. (7360 §2 11/4/53)

### 721.99 PENALTY

Any person violating the provisions of this article shall be fined not more than Six Hundred (\$600.00) Dollars or imprisoned not more than ninety (90) days, or both. (11995 §1 2/21/73; 13034 §2 3/6/91)

**ARTICLE 722  
TEMPORARY SIGN ORDINANCE**

722.01 Definitions  
722.02 Temporary Signs  
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**722.01 DEFINITIONS**

1. **Election** shall mean any regularly scheduled primary or general election, or any special election authorized by the Election Board of the County of Lehigh. (12719 §1 7/16/86)
  
2. **Political Sign** shall mean any temporary sign which publicizes the candidacy or promotes the election of any contestant for elected public office, or which advocates a particular position on any referendum appearing on an election ballot. (12719 §1 7/16/86)
  
3. **Special Event Sign** shall mean any temporary sign announcing an upcoming event, of whatsoever nature. This does not include Yard or Garage Sale signs. (12719 §1 7/16/86)
  
4. **Sponsor of a Sign** shall mean as follows:
  - a. For a political sign, the contestant for elected public office whose candidacy is advertised on the sign or, if applicable, the committee or organization promoting the election of said contestant; or the individual, group, organization or other entity listed on the sign as advocating the advertised position on a referendum. (12719 §1 7/16/86)
  
  - b. For a Special Event Sign, the individual, organization, corporation, government body, or other entity listed on the sign as the producer, promoter or offerer of the event advertised. (12719 §1 7/16/86)
  
  - c. For a Yard or Garage Sale Sign, the individual, family, or other entity residing at the address listed on the sign. (12719 §1 7/16/86)
  
5. **Street Light Standard** shall mean any pole or standard to which is attached a device used for illuminating a street, sidewalk, or other portion of any public right-of-way. (12719 §1 7/16/86)
  
6. **Temporary Sign** shall mean a sign, poster, placard, or other advertising device pertaining to an event of a fixed and limited time or duration and intended for a limited period of display. (12719 §1 7/16/86)
  
7. **Utility Pole** shall mean any pole or standard owned, maintained, serviced, or in any other way utilized by any regulated public utility, and located within the corporate limits of the City of Allentown. (12719 §1 7/16/86)
  
8. **Yard or Garage Sale Sign** shall mean any temporary sign announcing an upcoming public sale or items taking place at a private residence. This shall include, but not be limited to, yard sales, garage sales, and porch sales. (12719 §1 7/16/86)

## **722.02 TEMPORARY SIGNS**

Temporary signs are prohibited as follows:

A. No temporary sign shall be affixed to any utility pole or street light standard by means of nails, tacks, staples, or any other metal or hard substance or so as to cover the identifying label of the pole. (12719 §1 7/16/86)

B. No temporary sign affixed to any utility pole or street light standard shall have a glue, gum-backing or other adhesive-backing. (12719 §1 7/16/86)

C. No temporary sign shall exceed thirty (30") inches in height, or twenty-four (24") inches in width. (12719 §1 7/16/86)

D. No temporary sign shall be affixed in any manner to any tree or shrub in the public right-of-way. (12719 §1 7/18/86)

E. No temporary sign shall be posted on the Hamilton Mall or on any other City property. (12719 §1 7/16/86)

F. No temporary sign shall be so posted or constructed as to impair, impede, or otherwise obstruct the free flow of pedestrian or vehicular traffic along a public right-of-way or to obstruct the clear view of the entire public right-of-way by any pedestrian or vehicle operator. (12719 §1 7/17/86)

G. No temporary sign shall be posted on any traffic control device, as defined in the Traffic Code of the City of Allentown. (12719 §1 7/16/86)

H. No yard or garage sale sign which does not include the address and date of the sale may be posted. (12719 §1 7/16/86)

## **722.03 DURATION OF POSTING**

A. Political signs may not be posted to a utility pole or street light standard earlier than forty-five (45) days prior to an election. Such signs shall be removed within seven (7) days following the election. (12719 §1 7/16/86)

B. Special event signs may not be affixed to a utility pole or street light standard earlier than thirty (30) days prior to the event advertised. Such signs shall be removed within seven (7) days following the event. In cases where a special event sign lists more than one event, or an event which occurs on days following the last date or event listed thereon. (12719 §1 7/16/86)

C. Yard or garage sale signs may not be affixed to a utility pole or street light standard earlier than three (3) days prior to the sale advertised. Such signs shall be removed within twenty-four (24) hours following the close of the sale. (12719 §1 7/16/86)

## **722.04 CONSENT OF OWNER**

This ordinance shall not be construed to grant permission to any person, entity, organization or corporation to use any utility pole or other property for the posting of signs nor shall it be considered to infer the consent of the owner thereof.

## **722.05 REGISTRATION, PERMIT AND FEES**

No person, other than the property owner of the property posted, shall post a temporary signs without first registering the name and mailing address of the sponsor of said sign in the Zoning Office. Such registration shall not be construed to grant permission to post temporary signs on the property of another without said property owner's consent. (12719 §1 7/16/86)

For ten (10) or more signs to be posted, a permit must be obtained in the Zoning Office stating the applicant's name, address, telephone number and the purpose of the sign. The fee as required herein is to be established with the requirements of the Administrative Information Manual (AIM). (12719 §1 7/16/86)

#### **722.06 ACCOUNTABILITY OF SPONSOR**

In all cases in which temporary signs are posted, it shall be the responsibility of the sponsor of the sign to insure that each sign is posted and removed in accordance with the provisions of this ordinance. (12719 §1 7/16/86)

If any signs are found to have been posted in violation of this ordinance, or to have remained posted beyond the specified time period for removal of signs, the sponsor of the signs shall be liable to punishment under the terms of this ordinance. (12719 §1 7/16/86)

#### **722.07 CONFLICT WITH OTHER ORDINANCES**

This article shall not be in conflict with the Building Code (current edition) and the Zoning Code of the City of Allentown. (12719 §1 7/16/86)

#### **722.08 ENFORCEMENT**

The Bureau of Code Enforcement and the Police Department shall be responsible for enforcing all provisions of this article. (13046 §2 1/16/91)

#### **722.99 PENALTY**

Any person or persons who violates any provisions of this article and who fails to comply with any requirements hereof within seven (7) days of being sent notice shall be guilty of a violation. A fine of Ten (\$10.00) Dollars shall be paid for the first violation of each sign and a fine of Five (\$5.00) Dollars for each sign shall be paid for each day thereafter that a violation continues. (12719 §1 7/16/86)

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#### **EDITORS NOTES**

14262 (3/3/2005) amended the 725, the anti-litter provisions, by giving Sweep Officers enforcement authority and other changes.

14150 (2/20/04) amends the Noise provisions to exempt snow blowers.

14156 (2/22/004) amended the Skateboard by establishing a fine of at least \$25.

14229 (11/18/04) amended the Shopping Cart provisions to make the penalty section dovetail with general penalty.