

**ORDINANCE NO. 2024 -10-8-A**

**AN ORDINANCE PROHIBITING SIGNS ON UTILITY POLES**

WHEREAS, the Town Council of the Town of Borden, Indiana ("Council"), has been advised that various persons, firms, and associations place their signs on utility poles and other public right-of-ways within the corporate boundaries of the Town of Borden, Indiana ("Town");

WHEREAS, the Council believes that restricting the placement of such signage within Town limits will enhance the overall appearance and attractiveness of the Town;

WHEREAS, the Town of Borden, Indiana ("Town") has the authority to adopt ordinances preserving the aesthetics of the Town and protecting historical landmarks or culturally significant sites within the Town; and

WHEREAS, the Council, pursuant to the Town's local police powers, now desires to adopt this Ordinance:


NOW THEREFORE, it is hereby ordained by the Town Council of the Town of Borden, Indiana as follows:

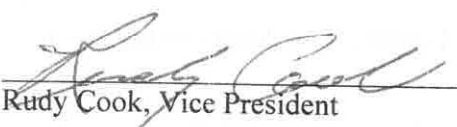
1. It shall be unlawful for any person, firm, or association to place or attach any poster, card, sign, or any other form of political or commercial advertising (collectively, "Sign") upon any utility pole or other public right-of-way located within the boundaries of the Town unless such person, firm, or association obtains the prior written consent of the Town Council President, which such consent shall be granted in the Town Council President's sole and absolute discretion.
2. In any case where any violation of this section may be found to exist, the Town Marshal or his deputy shall serve notice upon the violator, ordering that person, firm, or association to abate the violation within three (3) days of receiving such notice. Such notice shall be deemed properly served if a copy is either: (a) delivered personally to the violator; (b) sent by certified mail or first-class mail addressed to the last known address of the violator; or (c) sent by certified mail or first-class mail to the tax bill mailing address of the violator as it appears in the office of the Clark County Auditor.
3. If any person, firm, or association placing the Sign refuses or neglects to abate the violation within three (3) days after the notice is given, then that person, firm, or association shall be charged a fine of fifty dollars (\$50.00) a day for each violation of this Ordinance. It is within the discretion of the Town whether to bring a civil action in the courts of Clark County, Indiana or otherwise to collect such amounts due under the Ordinance
4. In addition, the Town may cause the violation to be abated in any manner authorized by law, including removing the Signs and instituting a civil suit against the

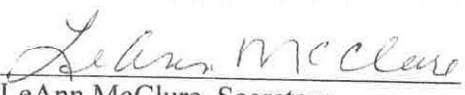
person or persons, firm, or association having placed the Sign upon the utility pole or other public right-of-way located within the boundaries of the Town.

Adopted by the Town Council of the Town of Borden, Indiana this 8th day of October 2024.

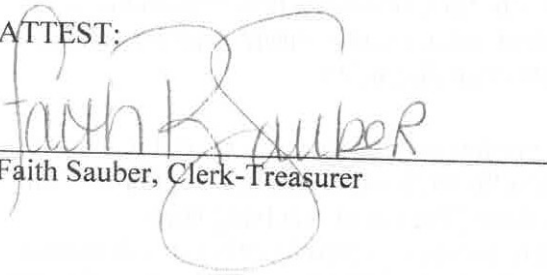
Town Council Members:

  
Steve Williams, President

  
Rudy Cook, Vice President

  
LeAnn McClure, Secretary

ATTEST:

  
Faith Sauber, Clerk-Treasurer