

TITLE 9**BUSINESS, PEDDLERS, SOLICITORS, ETC.¹****CHAPTER**

1. MISCELLANEOUS.
2. PEDDLERS, ETC.
3. CHARITABLE SOLICITORS.
4. TAXICABS.
5. MECHANICAL AMUSEMENT DEVICES, BILLIARDS, ETC. AND MINORS.
6. BILL POSTERS.
7. CABLE TELEVISION.

CHAPTER 1**MISCELLANEOUS****SECTION**

9-101. "Going out of business" sales.

9-101. "Going out of business" sales. It shall be unlawful for any person to falsely represent a sale as being a "going out of business" sale. A "going out of business" sale, for the purposes of this section, shall be a "fire sale," "bankrupt sale," "loss of lease sale," or any other sale made in anticipation of the termination of a business at its present location. When any person, after advertising a "going out of business" sale, adds to his stock or fails to go out of business within ninety (90) days he shall prima facie be deemed to have violated this section. (1963 Code, § 5-102)

¹Municipal code references

Building, plumbing, wiring and housing regulations: title 12.

Liquor and beer regulations: title 8.

Noise reductions: title 11.

Zoning: title 14.

CHAPTER 2**PEDDLERS, ETC.¹****SECTION**

- 9-201. Permit required.
- 9-202. Exemptions.
- 9-203. Application for permit.
- 9-204. Issuance or refusal of permit.
- 9-205. Appeal.
- 9-206. Bond.
- 9-207. Loud noises and speaking devices.
- 9-208. Use of streets.
- 9-209. Exhibition of permit.
- 9-210. Policemen to enforce.
- 9-211. Revocation or suspension of permit.
- 9-212. Reapplication.
- 9-213. Expiration and renewal of permit.

9-201. Permit required. (1) It shall be unlawful for any peddler, canvasser, solicitor, or transient merchant to ply for trade within the corporate limits without first obtaining a permit therefor in compliance with the provisions of this chapter. No permit shall be used at any time by any person other than the one to whom it is issued.

(2) As used in this chapter, the following definitions shall be applicable:

(a) "Peddler" is a person who sells goods, foods or wares from a vehicle or cart on streets or sidewalks.

(b) "Canvasser" is defined as a person who goes from house to house (not places of business or business establishments) selling goods, foods, or wares.

(c) "Solicitor" is a person who solicits house to house (not places of business or business establishments) selling goods, foods, or wares by taking orders for future deliveries.

(d) "Transient merchant" is an itinerant merchant or vendor or a person who sells or takes orders to sell goods, foods, or wares at a specific location on public or private property but who does not own or hold a non-cancellable lease on the location for at least 60 days where such sales are made. (1963 Code, § 5-201)

¹Municipal code reference
Privilege taxes: title 5.

9-202. Exemptions. The terms of this chapter shall not be applicable to:

- (1) Persons selling at wholesale to dealers;
- (2) Sales or deliveries by persons who operate established businesses;
- (3) Newsboys;
- (4) Other merchants in Union City who are not included in the definitions herein;
- (5) Bona fide charitable, religious, patriotic, or philanthropic organizations; and
- (6) Farmers who peddle, canvass, or solicit the sale of produce grown or raised by them. (1963 Code, § 5-202)

9-203. Application for permit. Applicants for a permit under this chapter must file with the city clerk a sworn written application containing the following:

- (1) Name and physical description of applicant.
- (2) Complete permanent home address and local address of applicant and, in the case of transient merchants, the local address from which proposed sales will be made, with a copy of a written non-cancellable lease of the property at the local address for a term of not less than 1 day nor more than one year;
- (3) Tennessee sales tax number;
- (4) A brief description of the nature of the business and goods to be sold;
- (5) If employed, the name and address of the employer, together with written evidence or credentials thereof which establish the exact relationship between the employer and the employee;
- (6) The length of time for which the right to do business is desired.
- (7) The names of at least two reputable local property owners (exception any lessor of the applicant) who certifies as to the applicant's good moral reputation and business responsibility or, in lieu of the names of local references, the names or other information as will enable an investigator to properly evaluate the applicant's moral reputation and business responsibility;
- (8) A statement as to whether or not the applicant has been convicted of any crime or misdemeanor or for violating any municipal ordinance; the nature of the offense; and, the punishment or penalty assessed therefor;
- (9) The names of the last three (3) cities or towns, if that many, where applicant carried on business immediately preceding the date of the application and, in the case of transient merchants, the addresses from which such business was conducted in those municipalities; and
- (10) At the time of the filing of the application, a fee of fifty dollars (\$50.00) shall be paid to the municipality to cover the costs of administration and investigation of the facts stated in the application. (1963 Code, § 5-203)

9-204. Issuance or refusal of permit. (1) Each application shall be referred to the chief of police for investigation. The chief shall report his findings to the city clerk within seventy-two (72) hours.

(2) If as a result of such investigation the chief reports the applicant's moral reputation and/or business responsibility to be unsatisfactory the city clerk shall notify the applicant that his application is disapproved and that no permit will be issued.

(3) If, on the other hand, the chief's report indicates that the moral reputation and business responsibility of the applicant are satisfactory the city clerk shall issue a permit upon the payment of all applicable privilege taxes and the filing of the bond required by § 9-206. The city clerk shall keep a permanent record of all permits issued. (1963 Code, § 5-204)

9-205. Appeal. Any person aggrieved by the action of the chief of police and/or the city clerk in the denial of a permit shall have the right to appeal to the governing body of the city. Such appeal shall be taken by filing with the city manager within fourteen (14) days after notice of the action complained of, a written statement setting forth fully the grounds for the appeal. The city manager shall set a time and place for a hearing on such appeal and notice of the time and place of such hearing shall be given to the appellant. The notice shall be in writing and shall be mailed, postage prepaid, to the applicant at his last known address at least five (5) days prior to the date set for hearing, or shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing. (1963 Code, § 5-205)

9-206. Bond. Every permittee shall file with the city clerk a surety bond running to the municipality in the amount of five hundred dollars (\$500.00). The bond shall be conditioned that the permittee shall comply fully with all the provisions of the ordinances of this municipality and the statutes of the state regulating peddlers, canvassers, solicitors, transient merchants, itinerant merchants, or itinerant vendors, as the case may be, and shall guarantee to any citizen of the municipality that all money paid as a down payment will be accounted for and applied according to the representations of the permittee, and further guaranteeing to any citizen of the municipality doing business with said permittee that the property purchased will be delivered according to the representations of the permittee. Action on such bond may be brought by any person aggrieved and for whose benefit, among others, the bond is given, but the surety may, by paying, pursuant to order of the court, the face amount of the bond to the clerk of the court in which the suit is commenced, be relieved without costs of all further liability. (1963 Code, § 5-206)

9-207. Loud noises and speaking devices. No permittee, nor any person in his behalf, shall shout, cry out, blow a horn, ring a bell or use any sound amplifying device upon any of the sidewalks, streets, alleys, parks or

other public places of the municipality or upon private premises where sound of sufficient volume is emitted or produced therefrom to be capable of being plainly heard upon the adjacent sidewalks, streets, alleys, parks, or other public places, for the purpose of attracting attention to any goods, wares or merchandise which such permittee proposes to sell. (1963 Code, § 5-207)

9-208. Use of streets. No permittee shall have any exclusive right to any location in the public streets, nor shall any be permitted a stationary location thereon, nor shall any be permitted to operate in a congested area where the operation might impede or inconvenience the public use of the streets. For the purpose of this chapter, the judgment of a police officer, exercised in good faith, shall be deemed conclusive as to whether the area is congested and the public impeded or inconvenienced. (1963 Code, § 5-208)

9-209. Exhibition of permit. Permittees are required to exhibit their permits at the request of any policeman or citizen. (1963 Code, § 5-209)

9-210. Policemen to enforce. It shall be the duty of all policemen to see that the provisions of this chapter are enforced. (1963 Code, § 5-210)

9-211. Revocation or suspension of permit. (1) Permits issued under the provisions of this chapter may be revoked by the governing body after notice and hearing, for any of the following causes:

(a) Fraud, misrepresentation, or incorrect statement contained in the application for permit, or made in the course of carrying on the business of solicitor, canvasser, peddler, transient merchant, itinerant merchant, or itinerant vendor.

(b) Any violation of this chapter.

(c) Conviction of any crime or misdemeanor.

(d) Conducting the business of peddler, canvasser, solicitor, transient merchant, itinerant merchant, or itinerant vendor, as the case may be, in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, or general welfare of the public.

(2) Notice of the hearing for revocation of a permit shall be given by the city clerk in writing, setting forth specifically the grounds of complaint and the time and place of hearing. Such notice shall be mailed to the permittee at his last known address at least five (5) days prior to the date set for hearing, or it shall be delivered by a police officer in the same manner as a summons at least three (3) days prior to the date set for hearing.

(3) When reasonably necessary in the public interest the manager may suspend a permit pending the revocation hearing. (1963 Code, § 5-211)

9-212. Reapplication. No permittee whose permit has been revoked shall make further application until a period of at least six (6) months has elapsed since the last revocation. (1963 Code, § 5-212)

9-213. Expiration and renewal of permit. Permits issued under the provisions of this chapter shall expire on June 30, of each year. An applicant seeking renewal of a permit after expiration must submit a new application in accordance with § 9-203. (1963 Code, § 5-213)

CHAPTER 3

CHARITABLE SOLICITORS

SECTION

9-301. Permit required.

9-302. Prerequisites for a permit.

9-303. Denial of a permit.

9-304. Exhibition of permit.

9-301. Permit required. No person shall solicit contributions or anything else of value for any real or alleged charitable or religious purpose without a permit from the city clerk authorizing such solicitation. Provided, however, that this section shall not apply to any locally established organization or church operated exclusively for charitable or religious purposes if the solicitations are conducted exclusively among the members thereof, voluntarily and without remuneration for making such solicitations, or if the solicitations are in the form of collections or contributions at the regular assemblies of any such established organization or church. (1963 Code, § 5-301)

9-302. Prerequisites for a permit. The city clerk shall issue a permit authorizing charitable or religious solicitations when, after a reasonable investigation, he finds the following facts to exist:

(1) The applicant has a good character and reputation for honesty and integrity, or if the applicant is not an individual person, that every member, managing officer or agent of the applicant has a good character or reputation for honesty and integrity.

(2) The control and supervision of the solicitation will be under responsible and reliable persons.

(3) The applicant has not engaged in any fraudulent transaction or enterprise.

(4) The solicitation will not be a fraud on the public but will be for a bona fide charitable or religious purpose.

(5) The solicitation is prompted solely by a desire to finance the charitable cause described by the applicant. (1963 Code, § 5-302)

9-303. Denial of a permit. Any applicant for a permit to make charitable or religious solicitations may appeal to the governing body if he has not been granted a permit within fifteen (15) days after he makes application therefor. (1963 Code, § 5-303)

9-304. Exhibition of permit. Any solicitor required by this chapter to have a permit shall exhibit such permit at the request of any policeman or person solicited. (1963 Code, § 5-304)

CHAPTER 4

TAXICABS¹

SECTION

- 9-401. Definitions.
- 9-402. Certificate of public necessity and convenience required.
- 9-403. Requirements as to application for a certificate.
- 9-404. Character and residence requirements.
- 9-405. Certificate is nonassignable--may be revoked or suspended.
- 9-406. Taxicab permit and fees--number and name to be printed on cab.
- 9-407. Taxicab license, inspection, sanitation and mechanical requirements.
- 9-408. Insurance requirements.
- 9-409. License required for taxicab drivers.
- 9-410. Miscellaneous prohibited conduct by drivers.
- 9-411. Route of cab--additional passengers.
- 9-412. Rates and fares.
- 9-413. Soliciting passengers prohibited.
- 9-414. Parking taxicabs.
- 9-415. Violations.

9-401. Definitions. The word "person" and all personal pronouns used herein shall be held to apply to and include individuals, partnerships, firms and corporations.

The term "taxicab," as used in this chapter, shall mean any vehicle carrying passengers for hire, except school buses, motor buses or motor coaches operated by bus lines over designated routes in and through the city.

The term "taxicab business," as used in this chapter, shall mean the use of one or more taxicabs within the corporate limits for the purpose of carrying passengers for hire, but not operated on a fixed route. (1963 Code, § 5-401)

9-402. Certificate of public necessity and convenience required. It shall be unlawful for any person to drive, operate, or keep for hire or pay, within the limits of Union City, any taxicab without first having obtained from the city council, a certificate of public necessity and convenience. (1963 Code, § 5-402)

9-403. Requirements as to application for certificate. Application for a certificate of public necessity and convenience shall be made under oath and in writing to the city clerk for consideration by the city council. The

¹Municipal code reference
Privilege taxes: title 5.

application shall state the name and address of the applicant, the name and address of the proposed taxicab business, the number of taxicabs the applicant desires to operate, and such other pertinent information as the city council or city clerk may require.

When considering any application for a certificate of public necessity and convenience, the city council shall hear witnesses for and against the granting of the certificate. In deciding whether or not to grant the certificate, the city council shall consider the public need for additional service, the increased traffic congestion, parking space requirements, and whether or not the safe use of the streets by the public, both vehicular and pedestrian, will be preserved.

In granting a certificate of public necessity and convenience, the city council shall specify the number of taxicabs which may be operated by permit under such certificate.

Those persons presently operating taxicabs under valid permits of public necessity and convenience when the ordinance comprising this chapter is adopted may make application to the city clerk within 60 days to have a certificate of public necessity and convenience and taxicab permits issued to substitute for any valid permit of public necessity and convenience, upon payment of the fee set forth in § 9-406. (1963 Code, § 5-403)

9-404. Character and residence requirements. No certificate shall be issued to or held by any person who is not a person of good character or who has been convicted of a felony, nor shall such certificate be issued to or held by any corporation if any official thereof shall be ineligible for a certificate under the foregoing conditions. (Ord. #5-02, Dec. 2001)

9-405. Certificate is nonassignable—may be revoked or suspended. Any certificate of public necessity and convenience issued under the provisions of this chapter shall be nonassignable and may be modified by the city council at any time.

Any certificate of public necessity and convenience may be revoked or suspended by the city council for any of the following reasons:

- (1) Failure to comply with the provisions of this chapter;
- (2) Violation or failure to comply with any of the provisions of this chapter by a taxicab driver possessing, using, or operating a taxicab for any holder of a certificate;
- (3) Commission of any offense prohibited by the Municipal Code of Union City by a holder of a certificate or a taxicab driver possessing, using, or operating a taxicab for any holder of a certificate;
- (4) Commission of any criminal offense prohibited by any state or federal statute by a holder of a certificate or a taxicab driver possessing, using, or operating a taxicab for any holder of a certificate; or

(5) Failure of a holder of a certificate to equip and maintain any motor vehicle used as a taxicab with any equipment, appliances, or devices required by any local, state or federal statute or regulation.

When the city council shall have reason to believe that any certificate should be modified, suspended or revoked, such action may be considered after giving the certificate holder five (5) days notice prior to any regular or special meeting. Such notice may be served upon the certificate holder either by registered letter or by a member of the police division of the City of Union City. (1963 Code, § 5-405)

9-406. Taxicab permit and fees--number and name to be printed on cab. An annual fee of thirty dollars (\$30.00) payable in advance to cover the cost of issuance, shall be paid for each taxicab permit issued hereunder, such permit being required for any taxicab operated upon the streets of Union City. Such fee shall be in addition to the regular city auto tag fee. The permits shall be issued by the city clerk in serial order. The number of the taxicab permit shall be painted in fast colors on each side of the taxicab with numerals not less than six (6) inches in height. Also, each taxicab shall have on each side in letters readable from a distance of twenty (20) feet, the name of the holder of the permit. It shall be unlawful for any person to drive any motor vehicle upon the streets of Union City with numbers, letters or names, painted upon its sides or elsewhere, indicating to the general public that such vehicle is a taxicab, unless in fact, a taxicab permit has been issued for said vehicle. (1963 Code, § 5-406)

9-407. Taxicab license, inspection, sanitation and mechanical requirements. No taxicab shall be operated on or over the streets of Union City unless it bears a duly issued state taxi license, has been inspected, and the owner of said taxicab has received from the city clerk of Union City a "certificate of inspection," when said taxicab mechanically and otherwise complies with the provisions of this chapter. In the event of any unfavorable inspection report, the owner of the taxicab, upon application, will be given fifteen (15) days, or such other reasonable time as the city clerk may designate, to improve said taxicab, whereupon another inspection shall be held. However, until such further inspection the taxicab shall not be operated upon the streets of Union City.

It shall be unlawful for any taxicab to operate in Union City unless it is equipped with four (4) wheel brakes, front and rear lights, tires, horn, muffler, rear vision mirror, windshield washer and wiper, each in good condition; and is equipped with a handle or latch or other opening device attached to each door of the passenger compartment so that such door may be operated by the passenger from the inside of the cab without the intervention or assistance of the driver; and unless the motor and all mechanical functions are kept in such condition of repair as may be reasonably necessary to provide for the safety of the public, and the continuous and satisfactory operation of the taxicab. Every taxicab shall at all times be kept in a clean and sanitary condition. Nothing

herein shall be held to prevent inspections of taxicabs at such other times and places as the city clerk or chief of police may direct. (1963 Code, § 5-407)

9-408. Insurance requirements. No taxicab permit shall be issued or continued in operation unless there is in full force and effect a liability insurance policy for each vehicle authorized in the amount of fifty thousand dollars (\$50,000) combined single limits or its equivalency for damages in any one accident. The insurance policy required by this section shall be approved by the city clerk and city attorney and shall contain a provision that it shall not be cancelled except after at least five (5) days written notice is given by the insurer to both the insured and the city clerk of Union City.

The insurance policy required herein shall be written and the premiums therefor shall be paid, so as to cover a period of not less than one year from the date of issuance.

The policy shall provide that the insolvency or bankruptcy of the insured shall not relieve the company from the payment of damages for injuries or death sustained, nor loss occasioned, within the provisions of the policy and the prepayment of any judgment that may be covered against the insured upon any claim by such policy shall not be a condition precedent to any right of action against the company upon the policy. The company shall be bound to the extent of its liability under the policy and shall pay and satisfy such judgment. An action may be maintained upon any judgment by the injured person, or his or her heirs or personal representatives, as the case may be, to enforce the liability of the company as therein set forth. (Ord. #10-89, May 1989)

9-409. License required for taxicab drivers. No person shall drive a taxicab or be hired or permitted to do so unless he is in possession of a valid Tennessee Chauffeur License. (1963 Code, § 5-409)

9-410. Miscellaneous prohibited conduct by drivers. It shall be unlawful for any taxicab driver, while on duty, to:

- (1) Be under the influence of, or to drink any intoxicating beverage or beer, or to use or be under the influence of any controlled substance, or;
- (2) To use or be under the influence of any medication or debilitating substance which impairs his ability to safely operate a vehicle, or;
- (3) To operate any taxicab when suffering any physical impairment which limits his ability to safely operate such vehicle. (1963 Code, § 5-410)

9-411. Route of cab--additional passengers. The driver of any taxicab operating upon the streets of Union City shall always take his passenger to his destination by the most direct available route from the place where the passenger enters the cab. No person shall be admitted to a taxicab already occupied by a passenger without the consent of the passenger. (1963 Code, § 5-411)

9-412. Rates and fares. The charge for transportation of passengers within the city limits of Union City shall be four dollars (\$4.00) for one passenger and two dollar (\$2.00) for each additional passenger if picked up and discharged at the same place. (Ord. #6-02, Dec. 2001)

9-413. Soliciting passengers prohibited. A taxicab driver shall not solicit passengers for hire or cruise upon the streets of Union City for the purpose of obtaining patronage for his taxicab.

(1) The term solicit as used herein means:

- (a) Obtaining patronage;
- (b) Calling attention to taxicab service;
- (c) Inviting business or customers by word of mouth, signals, nods or other actions.

(2) The term cruise as used herein means: moving about the streets of the city, either indiscriminately or between fixed points; provided, however, that taxicabs shall be permitted to receive or discharge passengers at public places or gatherings such as theaters, railroad stations, bus stations, ball parks and the like.

No taxicab driver or operator shall, in any manner or form whatever, directly or indirectly, solicit the patronage of persons who have assembled for the purpose of becoming passengers upon any bus line or public utility authorized to transport passengers in the city. (1963 Code, § 5-413)

9-414. Parking taxicabs. No taxicab driver shall park any taxicab upon the public streets of Union City, except when expeditiously picking up and/or discharging passengers. At all other times he shall park on the premises owned or leased by the taxicab company. (1963 Code, § 5-414)

9-415. Violations. Any person, firm or corporation, whether as owner, driver, agent or employee, operating a vehicle upon the streets and alleyways of Union City in violation of this chapter or otherwise violating any provision of this chapter shall be guilty of a misdemeanor and punishable under the general penalty clause for this code. (1963 Code, § 5-415)

CHAPTER 5**MECHANICAL AMUSEMENT DEVICES, BILLIARDS, ETC. AND
MINORS****SECTION**

9-501. Minors in certain premises after curfew.

9-501. Minors in certain premises after curfew. It shall be unlawful for any owner, operator, manager or person in charge of any fair, amusement park, theme park, restaurant, cafe, filling station, bar, tavern, hotel, motel, drug store, bowling alley, theater, skating rink or any other store, establishment, place of business, or otherwise to allow any person under the age of eighteen (18) years to play or operate after hours of any curfew imposed by this code, any game of miniature football, golf, baseball, pinball machine and all other mechanical amusement devices; games of billiards, bagatelle, pool or other games requiring the use of cue and balls, whether made playable by mechanical devices or otherwise or whether the charge for playing is collected by mechanical devices, unless accompanied by a parent, guardian or other adult person having lawful custody of such minor.

It shall be the responsibility of the owner, operator, manager or person in charge of any such establishment or place of business to ascertain or determine the age of any player. Ignorance of the players' age or misinformation relative thereto shall not excuse any such owner, operator or person in charge. (1963 Code, § 5-501)

CHAPTER 6

BILL POSTERS

SECTION

- 9-601. "Bill posting" defined.
- 9-602. Bills not to be posted on city property.
- 9-603. Requirements for posting on private property.
- 9-604. Permit from building inspector required.
- 9-605. Fee for permit.
- 9-606. Bond required before issuance of permit.
- 9-607. Rubbish, etc., to be removed.
- 9-608. Pasting of paper or cloth signs.
- 9-609. Pasting advertisements on show windows.
- 9-610. Removal of advertisements by city.
- 9-611. Posting of offensive advertisements.

9-601. "Bill posting" defined. "Bill posting" is defined as the posting, pasting, tacking, tying or in any manner affixing any bill, document, notice, placard, poster or any advertising or similar matter on any object or structure. (1963 Code, § 5-601)

9-602. Bills not to be posted on city property. It shall be unlawful for any person to do any bill posting on the exterior surface of any building, fence, post or other structure or property owned or occupied by, or within the exclusive control of the city or any of its departments, divisions or boards. (1963 Code, § 5-602)

9-603. Requirements for posting on private property. It shall be unlawful for any person to do any bill posting on the exterior surface of any privately owned building, fence, post, pole, or other structure or property within the city without the previous written consent of the owner or lessee of said property, and without posting or affixing plainly on or near the margin of said posted material, the name of the person, firm, association or corporation doing such posting. (1963 Code, § 5-603)

9-604. Permit from building inspector required. Any person having secured written permission from the property owner to post any bill, as provided by § 9-603, shall present such written permission, with a written application for a permit to the building inspector and shall secure from him a permit to place or affix such advertisement. The application shall give the location of the premises where the advertisement is to be placed and state the length of time it is desired for it to remain in place, and it shall state the size and material of which the placards or posters are to be made. The number of placards to be

posted at any location, the size and material of same and the length of time they shall remain in place shall be determined by the building inspector according to the character, material and purpose of such advertisements. The length of time such advertisement matter may remain affixed shall be stipulated in the permit.

Such special permits shall not be required from licensed bill posters or advertising companies posting advertisement matter on bulletin boards owned or leased by them, for the erection of which permits have been secured in accordance with the building code and zoning ordinance.

Nothing in this chapter shall be construed as affecting or prohibiting the right of the owner or lessee of any building to advertise thereon the merchandise or services which are offered for sale in such building. (1963 Code, § 5-604)

9-605. Fee for permit. The minimum fee for any permit required by this chapter shall be one dollar (\$1.00) when the cost of such advertising matter, including the cost of posting or affixing same does not exceed one hundred dollars (\$100.00); two dollars (\$2.00) when it does not exceed five hundred dollars (\$500.00); three dollars (\$3.00) when it does not exceed one thousand dollars (\$1,000.00); and two dollars (\$2.00) for each additional one thousand dollars (\$1,000.00) or fraction thereof, when the total amount exceeds one thousand dollars (\$1,000.00).

Within the scope of the charges as provided in the preceding paragraph, a single permit may embrace one or more locations when the advertisement matter to be affixed at such different locations is alike in form, character and material, and all is to be affixed for one individual, and is to be removed within the same period of time. This provision shall apply only to small posters or placards of a temporary nature. (1963 Code, § 5-605)

9-606. Bond required before issuance of permit. Before issuing any such bill posting permit the building inspector shall require of the applicant a bond in the sum of one hundred dollars (\$100.00), satisfactory to and in such form as provided by the building inspector, assuring the city that such advertisement permitted to be placed or affixed shall be removed in the time specified in the permit, and that the provisions of this chapter will be observed according to its intent. (1963 Code, § 5-606)

9-607. Rubbish, etc., to be removed. It shall be unlawful for any person, either in person or by agent or servant, having obtained permission or authority to post bills and placards as required in this chapter, and/or for the owner or lessee of such property, having granted such permission for the posting, pasting or affixing of advertisements on his property, to leave paper, paste, rubbish or other unsanitary, unsafe or unhealthful refuse or debris or to allow the accumulation of paper, paste, rubbish or other unsanitary, unsafe or unhealthful refuse or debris behind, around or adjacent to the billboards and at places where bills, posters and placards are affixed, but shall keep and maintain

the premises adjacent to billboards and places where bills, posters and placards are affixed in a clean, sanitary, healthy and safe condition. (1963 Code, § 5-607)

9-608. Pasting of paper or cloth signs. The pasting of paper or cloth signs direct on fences or buildings is prohibited. (1963 Code, § 5-608)

9-609. Pasting advertisements on show windows. The pasting of bills or posters on show windows or on the glass in show windows of buildings, except a small lease, rent or sale sign, is prohibited. (1963 Code, § 5-609)

9-610. Removal of advertisements by city. Any advertisement, placard or poster which has remained in place for the period of time specified in the permit, and which has not been removed in accordance with the terms of the permit, may be removed by the city and the expense of such removal charged against the bond herein provided for. If upon notice to the principal and surety on the bond, such amount so expended by the city is not paid within a period of ten (10) days, the claim shall be turned over to the city attorney and there shall be collected in addition to the amount so expended by the city an additional fee or penalty of ten dollars (\$10.00). (1963 Code, § 5-610)

9-611. Posting of offensive advertisements. The posting in any conspicuous place of any board, sign, or advertisement which shall be indelicate or offensive to persons passing on the streets or highways, or otherwise offensive to public decency is prohibited. It is hereby made the duty of the police of the city to take down and remove all such advertisements and to arrest all persons found to be replacing them. (1963 Code, 5-611)

CHAPTER 7

CABLE TELEVISION

SECTION

9-701. To be furnished under franchise.

9-701. To be furnished under franchise. Cable television service shall be furnished to the City of Union City and its inhabitants under franchise as the city council shall grant. The rights, powers, duties and obligations of the City of Union City and its inhabitants and the grantee of the franchise shall be clearly stated in the franchise agreement which shall be binding upon the parties concerned.¹

¹For complete details relating to the cable television franchise agreement see Ord. #7-02, and any amendments, in the office of the city clerk.