

WHEREAS, no penalty is expressed in Metropolitan Code 12.12.170 other than removal.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Section 12.12.170 of the Metropolitan Code of Laws is amended by deleting paragraph A and replacing it with the following:

- A. No person shall place, maintain or display upon or in view of any highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of, or attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal, and no person shall place, maintain or display any unauthorized sign, signal, marking or device over a highway.

Section 2. That Section 12.12.170 of the Metropolitan Code of Laws is amended to add a new paragraph E as follows:

- E. Any person violating any of these provisions shall be fined not less than fifty dollars. Each violation of this section shall be deemed a separate offense.

Section 3. This Ordinance shall take effect from and after its final passage, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance amends Section 12.12.170 of the Metropolitan Code of Laws to prohibit the placement of unauthorized signs, signals, or markings over a highway.

Section 12.12.170 of the Metropolitan Code of Laws prohibits a person from placing, maintaining, or displaying upon or in view of any highway “any unauthorized sign, signal, marking or device which purports to be or is an imitation of, or attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal.” Section 12.04.120 defines “highway” as “the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.”

The ordinance under consideration would amend Section 12.12.170 of the Metro Code to add that “no person shall place, maintain or display any unauthorized sign, signal, marking or device over a highway.” The ordinance would also add a provision that any person violating Section 12.12.170 is subject to a fine of not less than \$50 per day, with each violation deemed a separate offense.