



CITY OF TUCSON, ARIZONA

### **NEIGHBORHOOD PRESERVATION ORDINANCE 16-36 (TUCSON CITY CODE)**

Sec. 16-36. Posting of handbills prohibited.

(a) **Posting prohibited.** No person shall post, affix, display, paint or attach; or direct, permit, or cause any other person to **attach any handbill upon any street lamp post, street sign, traffic sign or signal, traffic control device**, curb, sidewalk, hydrant, tree, shrub, **utility pole** or any other public building, structure or object except as may otherwise be required or authorized by law; or upon any private structure or building, without the consent of the owner or person in control thereof.

(b) **Presumption.** For purposes of this section, there shall be a rebuttable presumption that any person or entity whose name, address, telephone number, e-mail address or other identifying information is indicated on the handbill, and any owner, manager, or responsible party of any business, product or service which is the subject of the handbill, has directed or caused the posting or attaching of the handbill in violation of subsection (a).

(c) **Penalty.** A violation of this section is a civil infraction. In addition to any other penalties prescribed by law, any person found responsible for violating this section shall be fined not less than two hundred fifty dollars (\$250.00). Each handbill illegally posted shall constitute a separate violation, and shall be subject to a separate fine. In addition to the minimum fine(s), upon finding any person responsible for violating this section, the court shall order that person to reimburse the city for its costs in the removal of the illegal handbill(s) pursuant to subsection (d), as documented by a statement of costs presented to the court by the city.