

1 RCNY §49-32

CHAPTER 49 OUTDOOR SIGNS

Subchapter

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Subchapter D – Removal, Storage, and Disposal of Signs and Sign Structures.

§49-32 Procedure.

(a) Where the signs and sign structures are physically removed, they shall be vouchered and maintained in a secure location.

(b) Within ten days after removal, the Department or an authorized representative designated by the Department shall send notice of such removal by regular mail to the owner of the sign and/or sign structure if the address and identity of such owner is reasonably ascertainable. If applicable, such notice shall include the place where the sign and/or sign structure may be claimed and the procedure for making a claim.

(c) The owner or other person lawfully entitled to possession of such property shall submit a claim for the release of such property to the Department or to an authorized representative designated by the Department. Such claim shall be accompanied by documentary proof establishing entitlement to such property.

(d) The costs of removal and storage of the sign shall be determined by the Department. Such costs shall be paid prior to release of the sign and/or sign structure unless the sign and/or sign structure is under the control of an OAC and the Department has served notice on such company and drawn upon the letter of credit or other security acceptable to the Department posted by such company, in accordance with section 26-127.3 of the Administrative Code.

(e) If, after consulting with the Department's enforcement unit, it is determined that fines or civil penalties have been imposed for a violation related to such sign or that an action or proceeding is pending in which such fines or civil penalties may be imposed, the sign and/or sign structure shall not be released without proof of payment of such fines and civil penalties or, if the action or proceeding is pending in which such fines or civil penalties may be imposed, proof that a letter of credit or other security acceptable to the Department has been provided in an amount sufficient to guarantee such payment.