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**BUSINESS AND PROFESSIONS CODE - BPC**

**DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11]** ( *Heading of Division 3 added by Stats. 1939, Ch. 30. )*

**CHAPTER 2. Advertisers [5200 - 5486]** ( *Chapter 2 repealed and added by Stats. 1970, Ch. 991. )*

**ARTICLE 9. Crimes and Penalties [5460 - 5466]** ( *Article 9 added by Stats. 1970, Ch. 991. )*

**5460.** It is unlawful for any person to place or cause to be placed, or to maintain or cause to be maintained any advertising display without the lawful permission of the owner or lessee of the property upon which the advertising display is located.

(*Added by Stats. 1970, Ch. 991.*)

**5461.** All advertising displays which are placed or which exist in violation of the provisions of this chapter are public nuisances and may be removed by any public employee as further provided in this chapter.

(*Added by Stats. 1970, Ch. 991.*)

**5463.** The director may revoke any license or permit for the failure to comply with this chapter and may remove and destroy any advertising display placed or maintained in violation of this chapter after 30 days' written notice is forwarded by mail to the permitholder at his or her last known address. If no permit has been issued, a copy of the notice shall be forwarded by mail to the display owner, property owner, or advertiser at his or her last known address.

Notwithstanding any other provision of this chapter, the director or any authorized employee may summarily and without notice remove and destroy any advertising display placed in violation of this chapter which is temporary in nature because of the materials of which it is constructed or because of the nature of the copy thereon.

For the purpose of removing or destroying any advertising display placed in violation of this chapter, the director or the director's authorized agent may enter upon private property.

(*Amended by Stats. 2003, Ch. 594, Sec. 1. Effective January 1, 2004.*)

**5464.** Every person as principal, agent or employee, violating any of the provisions of this chapter is guilty of a misdemeanor.

(*Added by Stats. 1970, Ch. 991.*)

**5465.** The remedies provided in this chapter for the removal of illegal advertising displays are cumulative and not exclusive of any other remedies provided by law.

(*Added by Stats. 1970, Ch. 991.*)

**5466.** (a) Notwithstanding any other provision of law, as to an advertising display in place as of August 12, 2004, a cause of action for the erection or maintenance of an advertising display that violates this chapter or the laws of a local governmental entity shall not be brought by a private party against an advertising display that has been in continuous existence in its current location for a period of five years. However, if the advertising display has been illegally modified, the cause of action for the illegal modification may be brought by a private party if it is filed within five years of the date the modification was made.

(b) This section shall not apply to a cause of action brought by a governmental entity that is based on the erection or maintenance of an advertising display that violates this chapter or the laws of the governmental entity.

(*Added by Stats. 2004, Ch. 529, Sec. 1. Effective January 1, 2005.*)