

**CHAPTER 24**  
**Regulation of Handbills**

**Section 1. Definitions.** The following words, terms and phrases, when used in this ordinance, have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A. "Commercial Handbill" shall mean and include any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter or literature:

(1) Which advertises for sale any merchandise, product, commodity, or thing; or

(2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interests thereof by sales; or

(3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event or any kind, for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event or any kind, when either of the same is held, given or takes place in connection with the dissemination of information which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; Provided, that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind, without a license, where such license is or may be required by any law of this State, or under any ordinance of this City; or

(4) Which, while containing reading matter other than advertising matter, is predominately and essentially an advertisement, but is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor; or

B. "Non-commercial Handbill" shall mean and include any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper booklet, or any other printed or otherwise reproduced original or copies of any matter or literature not included in the aforesaid definitions of a commercial handbill.

C. "Person" shall mean and include any person, firm, partnership, association, corporation, company or organization of any kind.

D. "Private Premises" shall mean and include any dwelling, house, building or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, shall include any yard, grounds, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building or other structure.

E. "Public Place" shall mean and include any and all streets, boulevards, avenues, lanes, alleys, or other public ways, and any and all public parks, squares, spaces, plazas, grounds and buildings.

F. Words singular in form may include the plural; any words plural in form may include the singular; and words in the masculine gender shall include the feminine and neuter genders.

**Section 2.** Posting Notice, Placard, Bill, etc. Prohibited in Certain Cases. No person shall post, stick, paint or otherwise fix or cause the same to be done by any person, any notice, placard, bill, card, poster, advertisement or other paper or device calculated to attract the attention of the public, to or upon any sidewalk, crosswalk, curb or curbstone, flagstone, or any other portion or part of any public way or public place, or any lamp post, electric light, telegraph, telephone pole, or railway structure, hydrant, shade tree or upon the piers, columns, trusses, girders, railings, gates or other parts of any public bridge or viaduct, or other public structure or building, or upon any pole, box or fixture or the fire alarm or police telegraph system, except such as may be authorized or required by the laws of the United States, or State, and the ordinances of the City.

**Section 3.** Throwing Handbills Broadcast in Public Places Prohibited. It shall be unlawful for any person to deposit, place, throw, scatter or cast any commercial handbill in or upon any public place within this City; and it shall also be unlawful for any person to hand out or distribute or sell any commercial handbill in any public place; Provided, however, that it shall not be unlawful for any person to hand out or distribute, without charge to the receiver thereof, any non-commercial handbill in any public place to any person willing to accept such non-commercial handbill.

**Section 4.** Placing in Vehicles - Commercial and Noncommercial Handbills. It shall be unlawful for any person to distribute, deposit, place, throw, scatter or cast any commercial or non-commercial handbill in or upon any automobile or other vehicle. The provisions of this section shall not be deemed to prohibit the handling, transmitting or distributing of any non-commercial handbill to the owner or other occupant of any automobile or other vehicle, who is willing to accept the same.

**Section 5.** Distribution on Uninhabited or Vacant Private Premises of Commercial or Non-Commercial Handbills. It shall be unlawful for any person to distribute, deposit, place, throw, scatter or cast any commercial or non-commercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

**Section 6. Prohibiting Distribution Where Properly Posted.** It shall be unlawful for any person to distribute, deposit, place, throw, scatter or cast any commercial or non-commercial handbill upon any premises, if requested by anyone thereon not to do so, or if there is placed on said premises in a conspicuous position near the entrance thereof, a sign bearing the words: "No Trespassing"; "No Peddlers or Agents"; "No Advertisement"; or any similar notice, indicating in any manner that the occupants of said premises do not desire to be molested or have their right of privacy disturbed, or to have any such handbills left upon such premises.

**Section 7. Distribution on Inhabited Private Premises - Commercial or Non-Commercial Handbills.** No person shall distribute, deposit, place, throw, scatter or cast any commercial or non-commercial handbill in or upon any private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or any other person then present in or upon such private premises.

**Section 8. Name and Address of Printer, etc., and Distributor of Handbills.** It shall be unlawful for any person to distribute, deposit, scatter, hand out or circulate any commercial or non-commercial handbill in any place, under any circumstances, which does not have printed on the cover, front or back thereof, the name and address of the following:

(a) The person who printed, wrote, compiled or manufactured the same.

(b) The person who caused the same to be distributed; Provided however, that in the case of a fictitious person or club, in addition to such fictitious name, the true names and addresses of the owners, managers or agents of the person sponsoring said handbill shall also appear thereon.

**Section 9. Exemptions.** The provisions of this ordinance shall not be deemed to apply to the distribution of mail by the United States, to newspapers of general circulation, nor to any periodical or current magazine regularly published and sold to the public.

**Section 10. Penalty.** Any person who violates any provision of this ordinance shall, upon conviction, be punished by a fine of not more than \$100.00.