

ORDINANCE NO. 1707

AN ORDINANCE OF THE CITY OF REDLANDS RELATING TO ADVERTISING DISTRIBUTION, AMENDING THE REDLANDS ORDINANCE CODE AND RESCINDING ORDINANCE NO. 1597.

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN AS FOLLOWS:

SECTION 1. Title. This ordinance shall be known as the "Peddling, Solicitation, and Distribution of Advertising Ordinance of the City of Redlands."

SECTION 2. Purpose and Intent. The City Council of Redlands does hereby find, determine, and declare:

(a) That the distribution of commercial advertising material upon residential property without their permission in the city creates widespread litter which is unsightly; inadvertently advertises the absence of occupants of the property to the dissolute or criminal elements of society, thereby increasing the possibility of criminal activity and the resulting police problems to the city, and places an unnecessary burden upon the residents and city to properly dispose of the commercial advertising materials.

(b) That door-to-door commercial solicitation of unwilling recipients by salesmen of goods and services jeopardizes the right of residents in this city to enjoy the privacy of their homes and serious public offenses have been committed by purported solicitors.

(c) That the practice of distributing, depositing, placing, throwing, scattering, and casting advertising matter in or upon motor vehicles and in or upon the public streets and in public places, except to persons who are willing to receive the same, creates a serious police problem and a threat to the public safety in that such material is permitted to fall, and is thrown upon parking areas, public streets and public places, and is blown about and accumulated as trash and creates fire hazards and unsightly conditions, and requires extra expense to remove such trash.

(d) That such practices are injurious and inimical to the public health, safety and welfare of residents of this city and such problems are becoming increasingly direct and substantial.

(e) That such practices are, therefore, declared to be a public nuisance.

(f) That such practices should be prohibited to protect the public health, safety, and general welfare of the residents of the City of Redlands.

SECTION 3. Public Places. No person shall throw, cast, distribute, scatter, deposit, or place upon any public place within the city, including, but not limited to, streets, alleys, public parks, and school grounds, any handbill, dodger, circular, newspaper, paper, booklet, poster, or any other printed matter or advertising literature of any kind; provided, however, the same may be personally delivered to persons who are willing to accept the same.

SECTION 4. Automobiles. No person shall throw, distribute, or place in or on any automobile or other vehicle in the city any handbill, dodger, circular, newspaper, paper, booklet, poster, or any other printed matter, or advertising literature without first having obtained the permission of the owner or person in possession thereof.

SECTION 5. Newspapers and Advertising Materials. No person may distribute, circulate, or deliver any newspaper, written handbill, circular, advertising literature or materials upon any private premises if the owner or occupant thereof has filed with the City Clerk a written objection to such distribution in accordance with the provisions of Section 6 of this chapter.

SECTION 6. Newspapers and Advertising Materials: Objections, Filings; Listings.

(a) Each resident or owner of any private property or any business, corporation, or enterprise of the city who wishes to object to the distribution upon his premises of any newspaper, or other matter referred to in Section 5 hereof, may file with the City Clerk a written declaration of such objection which shall include his name, the address where no distributions are to be made, the declarant's capacity to make such objection, and the name of the distribution to which he objects.

(b) The City Clerk shall maintain on file all objections by residents to the distribution of any newspaper, or other matter referred to in Section 5 hereof, and shall have available on the first Monday of each month, for the benefit of all licensed distributors, a list of addresses of those persons having filed objections. Such list shall contain the name of the specific newspaper, or other matter referred to in Section 5 hereof, objected to and the address where no such distributions are to be made.

SECTION 7. Newspapers and Advertising Materials: Objections: Listings: Use of by Distributors. It shall be the duty of each and every distributor of a newspaper, or other matter referred to in Section 5 hereof, to secure the monthly list of those objecting to its distribution and shall be held to have notice of such list as of the date such list is made available.

SECTION 8. Peddling and Solicitation. It shall be unlawful

for any person commercially selling, offering for sale, or soliciting orders on any goods, wares, merchandise or commercial service; or offering to buy, sell, or list any real property; or distributing commercial literature of the type described in Section 5 hereof; to go upon, ring the bell or knock on the door of, or attempt to gain admittance to the premises of any residence, dwelling, or apartment within the city unless previous to such entry, bell ringing, or knocking, such person has been requested or invited by the owner or adult occupant of the premises to be thereupon for such purpose.

SECTION 9. Littering Forbidden. It shall be unlawful to throw, cast or scatter any printed or written material of any type whatsoever in or onto any public place; into, or upon any automobile, vehicle or conveyance; or in, into or on the yard or grounds or on the doorstep, porch or vestibule of any residence, apartment or dwelling; or upon any vacant lot or other private property within the city.

SECTION 10. Distribution of Sample Medicines. It shall be unlawful for any person within this city to distribute any patent medicine, or any medicinal preparation or compound, or any medicines, drugs, herbs, or samples thereof with this city, except to physicians and druggists.

SECTION 11. Methods of Distribution. Any printed or written material which may be passed out, given away, circulated or delivered in the city, pursuant to law, shall be:

- (a) Placed in the hand of the intended recipient; or
- (b) Bound, folded or weighted in such a manner that the material cannot be blown away, scattered or fragmented by the action of the elements and/or normal pedestrian or vehicular traffic; or
- (c) Affixed to the premises for which it is intended by being tied to or slipped over a doorknob or other protrusion.

SECTION 12. Ordinance No. 867 is hereby amended. Ordinance 867, Section 10:b as codified in the Redlands Ordinance Code, Chapter 22, Article 227, Section 2274, is hereby amended to read as follows:

"Sec. 2274. IMPROPER DISTRIBUTION. All such handbills, circulars, posters, pictures, lithographs, maps, plates, samples or other forms of advertising are to be distributed in accordance with the regulations of the Peddling, Solicitation, and Distribution of Advertising Ordinance of the City of Redlands, Ordinance No. 1707."

SECTION 13. Severability. If any section or sections of the

foregoing provisions of this Ordinance shall be found to be invalid, all valid sections that are severable from the invalid section or sections shall remain in effect. If a section of this Ordinance is invalid in one or more of its applications, the section shall remain in effect in all valid applications that are severable from the invalid applications.

SECTION 14. Penalties. Any person violating any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than \$500.00 or by imprisonment for a period of not more than six (6) months, or by both such fine and imprisonment.

SECTION 15. This Ordinance shall be in force and take effect as provided by law.

SECTION 16. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be published once in the Redlands Daily Facts, a newspaper of general circulation printed and published in this city.

ATTEST:

Peggy A. Moseley
City Clerk

Carlo F. Martinez Jr.
Mayor of the City of Redlands

APPROVED FOR FORM:

s/ Edward F. Taylor
City Attorney

I, Peggy A. Moseley, City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was adopted by the City Council at a regular meeting thereof held on the 15th day of January, 1980, by the following vote:

AYES:	Councilmembers Knudsen, DeMirjyn, Elliott, Riordan; Mayor Martinez
NOES:	None
ABSENT:	None

Peggy A. Moseley
City Clerk