

Chapter 3

ADVERTISING¹

Art. I. In General, §§ 3-1 -- 3-15

Art. II. Handbills, §§ 3-16 -- 3-19

ARTICLE I. IN GENERAL

Sec. 3-1. Bill Posting in Streets.

- (a) No person shall attach, place, paint, write, stamp, or paste any sign, advertisement, or any other matter upon any lamp post, electric light, railway, telegraph, or telephone pole, shade tree, fire hydrant; or on any bridge, pavement, sidewalk or crosswalk, public building or any property or thing belonging to the city or on any article or thing within any park. Public officers posting any notice required or permitted by law shall be excepted from the provisions of this section.
- (b) The first violation of Sec. 3-1(a) within thirty-six months shall be a civil infraction with a maximum penalty of a \$50 fine. The second violation of Sec. 3-1(a) within thirty-six months shall be a civil infraction with a maximum penalty of a \$100 fine. The third violation of Sec. 3-1(a) within thirty-six months shall be a civil infraction with a maximum penalty of a \$150 fine. The fourth violation of Sec. 3-1(a) within thirty-six months shall be a misdemeanor with a maximum penalty of a \$500 fine and/or 90 days in jail. The fines described in this section shall be in addition to cost assessments, expenses, and/or damages assessed under the law.

(Code 1957, § 9.9; Ord. No. 195, §1, 10-13-08)

Cross reference-Streets, sidewalks and other public property, Ch.21.

Sec. 3-2. Bill Posting in Private Places.

- (a) No person shall attach, place, paint, write, stamp or paste any sign, advertisement, or other matter upon any house, wall, fence, gate, post, or tree without first having obtained the written permission of the owner or occupants of the premises and having complied with all provisions of this Code pertaining thereto.

¹ **State law references**-Highway advertising act, MCL § 252.301 et seq., MSA § 9.391(101) et seq.; advertising crimes, MCL § 750.33 et seq., MSA § 28.222 et seq.

- (b) The first violation of Sec. 3-2(a) within thirty-six months shall be a civil infraction with a maximum penalty of a \$50 fine. The second violation of Sec. 3-2(a) within thirty-six months shall be a civil infraction with a maximum penalty of a \$100 fine. The third violation of Sec. 3-2(a) within thirty-six months shall be a civil infraction with a maximum penalty of a \$150 fine. The fourth violation of Sec. 3-2(a) within thirty-six months shall be a misdemeanor with a maximum penalty of a \$500 fine and/or 90 days in jail. The fines described in this section shall be in addition to cost assessments, expenses, and/or damages assessed under the law.

(Code 1957, § 9.10; Ord. No. 195, §2, 10-13-08)

Secs. 3-3. -- 3-15. Reserved.

ARTICLE II. HANDBILLS

Sec. 3-16. Definitions.

The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

Handbill. The word “handbill” shall mean any advertising matter such as handbills, circulars, pamphlets, leaflets, books, free samples, shopping news, or other material, article or thing which advertises any merchandise, product or commodity or which directs attention to any business or commercial establishment or which advertises any meeting or exhibition or other event for which a fee is charged for admission. No newspaper, pamphlet, leaflet, book, article or thing which is sold to the person receiving the same shall be deemed a handbill.

Handbill Distributor. The term “handbill distributor” shall mean any person who distributes handbills by going from house to house, place to place, or along the streets.

(Code 1957, § 7.81)

*Cross reference-*Definitions and rules of construction generally, §§ 1-2.

Sec. 3-17. License Required.

No person shall engage in the business of handbill distributor without first obtaining a license therefore. No such license shall be issued except upon certification of the chief of police.

(Code 1957, § 7.82)

*Cross reference-*Licenses generally, Ch. 13.

Sec. 3-18. Scattering.

No person shall scatter, place or throw any handbill on any public street, alley or other public place nor in the yards of private residences, nor in or on motor vehicles.

(Code 1957, § 7.83)

Sec. 3-19. Conduct of Distributors.

No handbill distributor, while distributing handbills, shall walk across any lawn or garden or ring any doorbell. No handbill distributor shall leave any handbill in any place unless it be

securely attached to the door or weighted down in such a manner as to prevent its being blown away. No handbill distributor shall leave any handbill at any place where a sign is posted stating "No Handbills" or an equivalent warning.

(Code 1957, § 7.84)