

ORDINANCE NO. 382 NS

AN ORDINANCE DELETING SECTION 9.04.110 OF THE MUNICIPAL CODE AND ADOPTING NEW SECTIONS 9.04.110 - 9.04.117

T H E C I T Y C O U N C I L

City of El Paso de Robles, California

The City Council of the City of El Paso de Robles does ordain as follows:

SECTION 1. That Chapter 9.04, Section 9.04.110 of Title Nine, of the Municipal Code of the City of El Paso de Robles, and Section 12 of Ordinance 262 N.S. is hereby deleted.

SECTION 2. New Sections 9.04.110 through 9.04.117 are hereby added as follows:

9.04.110 Distributing Handbills on Private Property Definitions.

(1) Handbill - For the purposes of this section, the word "handbill" means any commercial handbill, dodger, advertising circular, folder, booklet, letter, pamphlet, sheet, poster, sticker or banner, but shall not include any newspaper or other publication printing news of a general nature or keeping advertising space therein open to the public for the publication of general advertising matter.

(2) "Private handbill distribution system" means a business which has been determined by the City Council to be operated to distribute handbills in the City of Paso Robles on a continuing, regular and routine basis.

9.04.111 Data Required on Handbills.

No person shall distribute any handbill, which does not have printed on the cover or face thereof or on the container thereof, the name, address, and phone number of the distributor. In addition, the person, firm or organization causing the handbill to be distributed shall be clearly set forth therein.

9.04.112 Where Distribution is Prohibited.

No person shall distribute any handbill to any premises which has posted thereon in a conspicuous place, bearing the words "no advertising, no trespassing, no peddlers or agents, or similar notice," unless the person distributing the handbill has first received the written permission of the person occupying or having control of such premises authorizing him to do so.

9.04.113 Permit--Required in Addition to Other Provisions.

It shall be unlawful for any person to commence, carry on or engage in the business of distributing handbills or to distribute handbills in the city, without complying with each and all of the provisions of this chapter and without first having secured a permit from the Business License Administrator. "Person" as used in this section shall mean the permittee and not its employees or agents, provided, however, that its employees or agents, while distributing handbills, shall have in their possession a copy of the business license or handbill permit issued to said permittee pursuant to the provisions of this chapter.

#### 9.04.114 Types of Permit.

The following permits may be issued by the Business License Administrator pursuant to the provisions of this chapter:

(1) Temporary permit: Each such permit shall plainly state the number of handbills authorized to be distributed. Under the authority of such permit, the permittee may employ any number of persons to distribute such handbills not exceeding in the aggregate the number authorized by such permit, without further permit or license fees as to such employees. Each such permit shall become null and void after the authorized number of handbills shall have been distributed and in any event shall expire on the tenth day after issuance.

(2) Annual permit: Each such permit shall be issued to a person, firm or organization upon a determination by the City Council pursuant to 9.04.010 (2) that said person, firm or organization is operating a private handbill distribution system and upon the payment of the required business license fee. Said permit shall be valid for a period of one year, unless revoked, and may be renewed annually.

#### 9.04.115 Permit Regulations.

Each recipient of a temporary or annual handbill permit, and all persons distributing handbills, shall comply with the following regulations:

(1) It shall cause its agents and employees to deliver the handbills only by placing them on the doorknobs or otherwise harmlessly attaching them to the building;

(2) It shall cause its agents and employees when distributing handbills to collect all visible material previously distributed by such permittee. The presence of such visible material shall be presumed to mean that said residence or business is vacant and said permittee shall cause no further material to be left therat unless and until affirmative signs of occupancy are apparent;

(3) It shall cause its agents and employees to refrain from making deliveries at known vacant buildings.

#### 9.04.116 Permit Fee.

No permit shall be issued under this chapter until a license fee shall have first been paid to the Business License Administrator in accordance with Chapter 5.04.

#### 9.04.117 Permit Revocation.

In the event that the permittee or any of its agents or employees fail to comply with any or all of the provisions of this chapter, its permit may be revoked in the following manner:

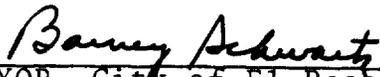
(1) Temporary permit: By the Business License Administrator by giving notice to the permittee.

(2) Annual permit: By the City Council after giving permittee notice and an opportunity to be heard.

SECTION 3. This ordinance shall take effect thirty (30) days after its adoption, and prior to the expiration of fifteen (15) dyas from the passage thereof shall be published once in a newspaper of general circulation, published and circulated in the City of El Paso de Robles, and thenceforth and thereafter the same shall be in full force and effect.

PASSED AND ADOPTED by the City Council of the City of El Paso de Robles this 30th day of September, 1975, by the following roll call vote:

AYES: Barnhart, Minshull, Schwartz  
NOES: None  
ABSENT: Hanson, Stockdale

  
MAYOR, City of El Paso de Robles

ATTEST:

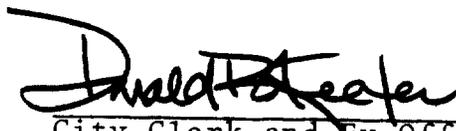
  
CITY CLERK, City of El Paso de Robles

STATE OF CALIFORNIA            )  
COUNTY OF SAN LUIS OBISPO (SS.  
CITY OF EL PASO DE ROBLES    )

I, Donald B. Keefer, City Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing Ordinance No. 382 NS was duly and regularly adopted, passed, and approved by the City Council of the City of El Paso de Robles, California, at a regular meeting of said City Council held at the regular meeting place thereof, on the 30th day, of September, 1975, by the following vote:

AYES: Barnhart, Minshull, Schwartz  
NOES: None  
ABSENT: Hanson, Stockdale

Dated this 30th day of September, 1975.

  
City Clerk and Ex-Officio Clerk of  
the City Council, City of El Paso  
de Robles, State of California.