

CODIFIED ORDINANCES OF THE TOWN OF McCANDLESS

PART THREE - BUSINESS AND TAXATION CODE

TITLE ONE - Business Regulation

- Art. 301. Advertising.
 Art. 305. Peddlers; Transient Vendors.
 Art. 306. Solicitation of Funds.
 Art. 307. Amusements.
 Art. 309. Cable Television Rates and Customer Services.

ARTICLE 301

Advertising

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| 301.01 | Intent. | 301.99 | Penalty. |
| 301.02 | Distributing advertising material
at residences. | | |

CROSS REFERENCES

- Peddling - see B.R. & T. Art. 309
 Littering - see GEN. OFF. Art. 705

301.01 INTENT.

This chapter is enacted because certain persons, firms or corporations have recently begun the distribution of advertising materials to Town residents by placing or hanging the advertising material on mail boxes or posts or by depositing such material upon other portions of private property without the request or consent of the owners or occupiers of the property and in the judgment of the Town Council this manner of distribution of advertising materials is unsightly, constitutes an invasion of privacy and, unless picked up by the property owner within a reasonable time, the presence of such advertising material would be a clear indication that the residence was unoccupied and thus increase the possibility of vandalism and/or burglary. (Ord. 662. Passed 10-28-74.)

301.02 DISTRIBUTING ADVERTISING MATERIAL AT RESIDENCES.

It shall be unlawful for any person, firm or corporation to distribute advertising materials at a residence within the Town of McCandless (other than at the home of the person, firm or corporation distributing the same) by placing such material at the residence, on the property or on the residential mailbox of the person owning or occupying the residence unless the person, firm or corporation, its agents, servants, employees and/or independent contractors distributing such advertising materials:

- (a) Is making such distribution based upon an affirmative request or consent of the person occupying the residence; or
- (b) Is making such distribution through the use of the United States mail service; or
- (c) Is making such distribution through a procedure whereby a resident can notify the person, firm or corporation, its agents, servants, employees and/or independent contractors of a desire not to receive unsolicited distributed materials and such procedure provides for:
 - (1) The honoring of any and all "no distribution" requests from a Town of McCandless resident by not leaving or otherwise distributing any materials to residents from whom such person, firm or corporation, its agents, servants, employees and/or independent contractor has received a "no distribution" request; and
 - (2) The patrolling and monitoring of a service area of a person, firm or corporation, its agents, servants, employees and/or independent contractors on a weekly basis and the collection of unwanted and/or unclaimed materials distributed by such person, firm or corporation within one week of its delivery; and
 - (3) The termination of distribution of materials within one week by a person, firm or corporation, its agents, servants, employees and/or independent contractors to a residence where prior materials have not been claimed. (Ord. 1123. Passed 6-27-94.)

301.99 PENALTY.

Any violation of any provision of this article shall be considered a summary offense and shall be fined not more than three hundred dollars (\$300.00). Each unlawful distribution to a residence shall be considered as a separate offense. (Ord. 662 §2. Passed 10-28-74.)