

## HANDBILL PERMIT APPLICATION

Name of Business: \_\_\_\_\_

Owner Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Location of Business: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Amount Paid: \$ \_\_\_\_\_

Must provide Clerk with sample.

Must follow the guidelines set out in Chapter 3.11 of the Council Bluffs Municipal Code, copy attached.

I hereby certify that I am of good moral character and a citizen of the United States.

X

\_\_\_\_\_  
Applicant

**Annual Renewal Fee: \$25.00**

Submit a check or money order to:

City Clerk

209 Pearl Street

Council Bluffs, Iowa 51503

## **Chapter 3.11 HANDBILLS**

### **Sections:**

3.11.010 Posting or attaching unlawful without consent.

3.11.020 Unlawful distribution and attachment--Exceptions.

3.11.030 Distributor's permit required--Fee.

3.11.040 Distribution incidental to business--Permit fee--Exceptions.

3.11.050 Distribution by local merchants.

3.11.060 Litter receptacles--Contract holders excepted.

3.11.070 Penalty for violations.

### **3.11.010 Posting or attaching unlawful without consent.**

It shall be unlawful for any person to paste, post, print, nail or otherwise fasten any handbill, sign, poster, advertisement or notice of any kind whatsoever, or cause the same to be done, on any curbstone, flagstone, or any portion or part of any sidewalk or street or upon any tree, lamp post, telegraph pole, telephone pole, hydrant, bridge, pier, fence or fence post, or upon any structure located within or upon any public property within the City of Council Bluffs, Iowa, without the express consent of the city authorities, and it shall be unlawful for any person to paste, post, print, nail or otherwise fasten any handbill, sign, poster, advertisement or notice of any kind or to cause the same to be done on any private property, wall, window, door, gate, fence, advertising board or sign board or on any other structure or building situated on private property unless such person is the owner thereof, without the consent in writing of the owner of such property, wall, window, door, gate, fence, advertising board or sign board or building or structure; provided, however, that the foregoing shall not be construed as being applicable to the posting of legal notices by duly constituted public officers while engaged in the performance of a public duty and in the manner and places prescribed by law.

(Ord. 3677 § 1; November 4, 1963).

### **3.11.020 Unlawful distribution and attachment--Exceptions.**

It shall be unlawful for any person, firm or corporation, to circulate, distribute, scatter or place or to cause to be circulated, distributed, scattered or placed on or in any of the city's public streets, alleys, sidewalks, public grounds and places, or in or on automobiles or other vehicles private or public and which may be parked on the city's public streets, alleys or parking lots or on any private lot within the city, or to post, fasten or attach or to cause to be posted, fastened or attached to any property located upon such public streets, alleys, sidewalks, public grounds and places, any printed, mimeographed, lithographed, multi-graphed, photographed, or written dodgers, handbills, posters, circulars, cards or other advertising matter of any type or kind, or to scatter or cause to be scattered about on any private property or grounds in the city of Council Bluffs, Iowa, any dodgers, handbills, circulars, cards or posters, without first having secured the written consent of the owner or person in charge thereof and it shall also be unlawful for any person, firm or corporation to throw, leave, or deposit, or to cause to be thrown, left or deposited in or upon any private yard, porch, doorway, or other place on private property, any handbills, circulars, cards, pamphlets, shopping news or any other advertising matter of any kind of nature, including so-called shopping news, unless same shall be placed in either a receptacle or container provided for such purpose, or unless same shall be fastened or attached to such private yard, porch, doorway or other place upon said private property with a suitable device such as a rubber band, clip or tack and done in such a manner so as not to mar, deface or destroy the property upon which same shall be emplaced, and in all events in such a manner as to prevent such advertising matter from being blown about or littering any street, alley, or property, public and private, located within said city; provided, however, that such advertising matter shall not be placed or caused to be placed in the private receptacle designated for the receipt of United States Mail; and provided further that the requirements set forth herein shall not be applicable to any newspaper or other publication issued at regular intervals for which a subscription charge is made and collected and other printing news of a general nature keeping advertising space open therein and with general advertising matter therein contained.

(Ord. 3677 § 1, 1963).

### **3.11.030 Distributor's permit required--Fee.**

Any person, firm or corporation who follows the calling, trade, profession and occupation and engages in the business of distributing handbills, circulars, cards, pamphlets or other advertising matter, shall be

required to secure a permit so to do and the fee for such permit shall be twenty-five dollars (\$25.00) per year for each person acting as a principal therein.

(Ord. 3677 § 1, 1963).

### **3.11.040 Distribution incidental to business--Permit fee--Exceptions.**

Any person, firm or corporation who shall distribute handbills, circulars, cards, pamphlets or other advertising matter, as an incident to the conduct of his or her business or profession but who does not follow the calling, trade, profession, occupation and business of an advertising distributor, shall be required to secure a permit so to do and the fee therefore shall be five dollars per year; provided, however, that the requirements contained herein shall not be applicable to public or charitable enterprises or entertainments where private gain or profit is not sought.

(Ord. 3677 § 1, 1963).

### **3.11.050 Distribution by local merchants.**

The provisions set forth in this chapter shall not prevent any local merchant with a permanent place of business within the city of Council Bluffs, Iowa, from distributing his or her own handbills or advertisements, and said merchant shall not be required to secure a permit for the distribution of his or her own advertising material, as elsewhere provided in this chapter.

(Ord. 3677 § 1, 1963).

### **3.11.060 Litter receptacles--Contract holders expected.**

The provisions of this chapter relative to the posting of advertising material on the city's public streets, sidewalks, or other public places within the city shall not be applicable to any person, firm or corporation who has entered into a written contract with the city of Council Bluffs, Iowa, wherein said person, firm or corporation is permitted the right to install and maintain litterbug receptacles and to inscribe or place advertising material on the sides of said receptacles, subject to the terms and conditions set forth in said contract.

(Ord. 3677 § 1, 1963).

### **3.11.070 Penalty for violations.**

Any person, firm or corporation who shall violate any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than five dollars or be imprisoned for a term not to exceed thirty (30) days, and such conviction shall subject such person, firm or corporation to the revocation of the permit hereinbefore required.

(Ord. 3677 § 1, 1963).