

CHAPTER 111: SOLICITATIONS; HANDBILLS

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Statutory reference:

Authority to regulate the posting of handbills and advertisements, see Neb. RS 16-210

GENERAL PROVISIONS

§ 111.01 PEDDLERS AND SOLICITORS REGULATED.

(A) Any non-resident person selling or attempting to sell at retail or take orders for any merchandise, magazines, books or any other item of value, or who sells or attempts to sell a service of any kind, within the corporate limits of the city shall, prior to making any attempt to sell any such item or service, register with the Police Department and obtain a vendor's permit. The Chief of Police or his or her designate shall require all applicants to provide photo identification, complete a registration form which authorizes the Police Department to make criminal history inquiries, and submit to photographs and/or fingerprints prior to receiving a vendor's permit. There is a non-refundable application fee that shall be paid in advance. The Chief of Police or his or her designate may deny a vendor's permit for cause if the applicant has a criminal record involving violence, fraud, theft or any felony conviction.

(B) Provisions of division (A) above shall extend to individuals doing door-to-door sales in any residential zone or door-to-door sales to any residential units in a non-residential zone. This regulation does not extend to individuals calling on retail merchants for the purpose of taking orders or selling

merchandise for resale by such merchants and does not apply to recognized route vendors operating within the city.

(C) A **RECOGNIZED ROUTE VENDOR** is any company that regularly sells or attempts to sell at retail or take orders for any merchandise, magazines, books or any other item of value, or that regularly sells or attempts to sell a service of any kind, within the corporate limits of the city and shall be required to provide proof upon request of collecting and remitting state sales tax and local option sales tax, where applicable. There is a non-refundable annual application fee that shall be paid in advance.

(D) The vendor's permit provided for in this section shall be displayed by the bearer upon the request of any citizen of the city. The vendor's permit will be issued for a period of time, not to exceed 14 days, and may be renewed by the Police Department upon the receipt of another application fee. (2002 Code, § 62-41) (Ord. 97-11, passed 6-10-1997; Ord. 2003-17, passed 8-12-2003) Penalty, see § 111.99

HANDBILLS

§ 111.15 DEFINITION.

HANDBILL means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, paper, booklet or other printed matter of literature. (2002 Code, § 62-71)

§ 111.16 DISTRIBUTION LIMITED; PUBLIC PROPERTY.

(A) The practice of throwing, casting, distributing, scattering or depositing handbills upon public property in the city is declared to constitute a public nuisance, except as permitted in this subchapter. (2002 Code, § 62-72)

(B) No person shall deposit, place, throw, scatter or cast any handbill in or on any street, park, ground or other public place; however, the provisions of this division (B) shall not be deemed to prohibit the handing of any handbill to any person willing to accept it. (2002 Code, § 62-73)
Penalty, see § 111.99

§ 111.17 PLACING IN VEHICLES.

No person shall distribute, deposit, place, throw, scatter or cast any handbill in or upon any automobile or other vehicle on the streets or other public property of the city; however, the provisions of this section shall not be deemed to prohibit, upon the approval of the Chief of Police, or prohibit the

handing or any handbill to the owner or occupant of any automobile or other vehicle who will accept it, and this section shall not be deemed to prohibit the city from placing any tickets, traffic infractions or notices in or upon any automobile.

(2002 Code, § 62-74) (Ord. 2006-11, passed 5-9-2006) Penalty, see § 111.99

§ 111.18 POSTING PROPERTY PROHIBITED.

The owner or occupant of any property may place a sign in a conspicuous place near the entrance of the property indicating that no handbills are desired; and no person shall deposit, place, throw, scatter or cast any handbill on such property or solicit the right to make free delivery of any handbill to such property.

(2002 Code, § 62-75) Penalty, see § 111.99

§ 111.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code.

(B) Any person failing to comply with the provisions of § 111.02 of this chapter shall be in violation and subject to the penalties provided under § 10.99 of this code.

(2002 Code, § 62-41)

(Ord. 97-11, passed 6-10-1997; Ord. 2001-8, passed 7-31-2001)

