

ORDINANCE NO. 208

AN ORDINANCE PROHIBITING THE DISTRIBUTION OR THROWING OF HANDBILLS, CIRCULARS AND ADVERTISING MATTER, AND THE THROWING OF PAPERS, RAGS, BOTTLES, CANS AND OTHER REFUSE, UPON THE PUBLIC STREETS AND OTHER PLACES IN THE TOWN OF SAN ANSELMO, PROVIDING FOR THE ISSUANCE OF LICENSES FOR THE DISTRIBUTION OF ADVERTISING MATTER UPON PRIVATE PROPERTY, EXCEPTING NEWSPAPERS SOLD TO PURCHASERS OR DELIVERED TO REGULAR SUBSCRIBERS, AND PRESCRIBING PENALTIES.

The City Council of the Town of San Anselmo do ordain as follows:

Section 1. No person, firm or corporation shall distribute, place or throw, or cause to be distributed, placed or thrown, in upon or along any public street, sidewalk, square, park or other public place, or in or along any creek or drain ditch, in the Town of San Anselmo, or to or among any pedestrians, or post or affix to any pole, fence or tree in upon or along any public street, sidewalk, square, park, or other public place, or, without previously obtaining a license as herein provided, upon any private property, in said Town, any handbill, pamphlet, circular, dodger, newspaper, or any advertising sheet, matter, or device designed or intended for advertising or making known in a general or promiscuous manner any business, occupation, profession, medicine or medical treatment, or the dealing in or selling of any merchandise or thing whatsoever; provided that the provisions of this section shall not apply to, nor shall any license hereunder be required for, the sale, delivery or distribution of a regularly published newspaper to a purchaser or regular subscriber thereof or to or upon the premises or place where such newspaper is regularly sold, delivered or distributed to such subscriber.

Section 2. Any person, firm or corporation desiring a license under this ordinance shall make written application therefor to the Chief of Police of said Town accompanied by a bond in the sum of five hundred dollars issued by a surety company authorized to issue such bonds in the State of California, said bond to be conditioned upon the proper compliance by said applicant, and all agents and employees thereof, with the provisions of this ordinance and of said license and all regulations prescribed by said Chief of Police in relation thereto, and to provide for the payment of the penal sum thereof to said Town in the event such provisions and regulations are not properly complied with, and said bond to be also conditioned upon the full responsibility of said applicant, and all agents and employees thereof, in accordance with the provisions of said license for any injury done to any person or property in the performance of, or failure to perform, any act permitted or required by this Ordinance or by said license or regulations. Said license shall be in such form and contain such provisions as shall be prescribed by said Chief of Police consistently with the terms of this ordinance. Upon receiving such application and bond said Chief of Police shall issue to the applicant such license upon the payment of a license fee of *Fifty (\$50.00)* dollars. Such license shall be a yearly license and shall expire on the 30th day of June following its issuance; and in no event shall the amount of said license fee be prorated notwithstanding the date of issuance of such license. Such license shall extend to the applicant and all agents and employees thereof. Any person acting or operating, or claiming

to act or operate, under or by virtue of any license issued hereunder, shall upon request of said Chief of Police, or of any police officer of said Town, exhibit to him said license or inform him of the number and date of issuance thereof; or if such person is an agent or employee of a licensee he shall upon like request exhibit evidence of such agency or employment. If any licensee, or any agent or employee thereof, shall violate the provisions of this ordinance or of the license or any regulations of the Chief of Police such license shall be immediately revoked by the Chief of Police and no other license under this ordinance shall be issued to such person, firm or corporation, or to the person guilty of such violation, except upon the order of the City Council.

Section 3. No person, firm or corporation, shall throw or place, or cause to be thrown or placed, in or upon or along any public street, sidewalk, square, or other public place or property in the Town of San Anselmo, or in or along any creek or drain ditch in said Town, or in or upon any automobile or other vehicle on or in any public street or place in said Town, or in, on or upon any private property in said Town, any papers, rags, bottles, cans or other refuse; provided that the provisions of this section shall not apply to any acts done on private property, other than any creek or drain ditch, with the consent of the owner or lawful possessor thereof. The term "papers" as used in this section shall not include newspapers when sold, delivered or distributed under the conditions stated in Section 1 of this ordinance, nor shall it include any matter distributed pursuant to the license issued under Section 2 of

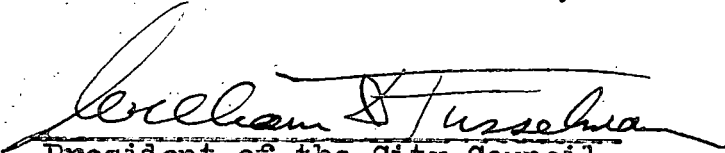
this ordinance, provided said matter is distributed in accordance with this ordinance and the provisions of such license and the regulations of the Chief of Police.

Section 4. Any person, firm or corporation, violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding Fifty Dollars (\$50.), or by imprisonment for not more than Twenty-five (25) days, or by both such fine and imprisonment.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 6. The Town Clerk is hereby directed to cause this ordinance to be published once in the Marin Herald, a weekly newspaper of general circulation published and circulated in said Town of San Anselmo and hereby designated for that purpose.

Section 7. This ordinance is urgently required for the immediate preservation of the public peace, health and safety of the Town of San Anselmo and its inhabitants and it shall go into full force and effect immediately upon its passage, approval and publication.


President of the City Council
of the Town of San Anselmo.

ATTEST:


Town Clerk.

I hereby certify that the foregoing ordinance was regularly introduced at a regular meeting of the City Council of the Town of San Anselmo held on Tuesday, the 22 day of July, 1930 and was thereafter duly passed and adopted by said City Council at a regular meeting thereof held on Monday, the 4th day of August 1930 by the following vote, to wit:

AYES:

Councilmen

*McKinnon, Siewers
Jordan, Wright & Fosselman*

NOES:

Councilmen

None

ABSENT:

Councilmen

None

*A. B. Brown
Clark*