

ORDINANCE NO 12 1976
BEING AN ORDINANCE AMENDING ARTICLE X
OF CHAPTER 73 OF THE CODE OF THE CITY
OF FORT COLLINS RELATING TO THE
DISTRIBUTION OF HANDBILLS

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS

That Article X of Chapter 73 of the Code of the City of Fort Collins be and the same hereby is amended to read as follows

"ARTICLE X
"Distribution of Handbills

"§ 73-58 License required

"It shall be unlawful for any person or persons to distribute indiscriminately to the public any cards, circulars handbills samples of merchandise or similar advertising matter on any public street or sidewalk or other public place in the City, or by leaving the same at stores, offices houses and residences in the City without first having secured a permit from the Director of Finance of the City of Fort Collins so to do

"§ 73-59 Application for license license fee term of license

"Application for a license hereunder shall be made through the office of the Finance Director on application forms provided by such office The fee for a license hereunder shall be \$ 3.00 per annum payable at the time of granting the license The term of any license shall be one year from date of issuance provided that the Director of Finance may cancel any license issued hereunder in case the licensee fails to abide by the requirements of this ordinance

"§ 73-60 Cancellation of license - appeal

"Prior to cancelling any license issued hereunder because of a violation of the provisions of this ordinance the Director of Finance shall give the licensee five (5) days written notice of his intent to cancel the license, which notice shall specify the alleged violation Such notice shall be served on the licensee by mailing the same, regular mail

postage prepaid addressed to the licensee at the address given in the license application or any change of address filed by the licensee with the Finance Director. Such notice shall specify the date on which the license will be cancelled and shall advise the licensee that he may contact the Director of Finance and request a hearing on the question of cancellation of the license. If no hearing is requested prior to the time established in the notice for cancellation the Director of Finance shall cancel the license on the cancellation date specified. If a hearing is requested the Director of Finance shall schedule a hearing and shall take no further action until the time of the hearing. In the event a license is cancelled where no hearing before the Director of Finance was requested there shall be no appeal of the cancellation. If a hearing is requested and after the hearing the Director of Finance cancels the license the licensee shall have the right to appeal his decision to the City Council by filing notice of such appeal with the Director of Finance within forty-eight (48) hours after the cancellation. The Director of Finance shall then submit the matter to the City Council at its next regular meeting and the City Council shall schedule a hearing and give notice to the licensee of the date of the hearing. After conducting a hearing the City Council shall make the final determination on the question of cancellation of the license. Any notice called for in this section shall be deemed delivered upon deposit in the mail.

"§ 73-61 Manner of distributing handbills

"A It shall be a violation of this ordinance for any person to throw cards, circulars, handbills, samples of merchandise or similar advertising matter upon any of the streets, alleys, or other public places of the City or in or on any vehicle standing therein.

"B Licensees distributing advertising material regulated by this ordinance shall distribute the same in such a manner that the items distributed are protected from the wind and will not blow or scatter because of the wind. Such protection may be obtained by depositing the items distributed in a secure place or by the manner in which the same are wrapped or folded.

"§ 73-61(a) Exceptions

"The provisions of this ordinance shall not apply to distribution of newspapers published and distributed

on a regular basis either daily weekly or otherwise
The provisions of this ordinance shall further not apply
to political or religious advertising materials "

Introduced considered favorably on first reading and
ordered published this 6th day of April, A D 1976
and to be presented for final passage on the 20th day of
April A D 1976

ATTEST

Verna Lewis
City Clerk

Earl Wilkinson
Mayor

Passed and adopted on final reading this 20th day of
April A D 1976

ATTEST

Verna Lewis
City Clerk

Earl Wilkinson
Mayor