

Chapter 57
HANDBILLS AND POSTERS

§ 57-1. License required for posting or distribution.

§ 57-2. Application for and issuance of license.

§ 57-3. Distribution and posting regulations.

§ 57-4. License fees; surety deposit.

§ 57-5. Violations and penalties.

[HISTORY: Adopted by the Borough Council of the Borough of Pennsburg at time of adoption of Code 4-4-1977 by Ord. No. 2-77 (see Ch. 1, General Provisions, Art. I). Amendments noted where applicable.]

GENERAL REFERENCES

Littering — See Ch. 60.

§ 57-1. License required for posting or distribution.

No person or persons, firm, corporation or association shall engage in or carry on the posting of any bill or the erection of any sign not further regulated by the provisions of any other ordinance, or the distributing of handbills or samples or other articles for advertising purposes, in the Borough of Pennsburg, without having previously obtained a license so to do under the provisions of this chapter.

§ 57-2. Application for and issuance of license.

Application for a license shall be made to the Borough Secretary on forms to be provided by the borough. Applicants for licenses to distribute handbills, samples or other articles for advertising purposes shall describe in detail the handbill or items to be distributed and the areas to be covered by distribution. If the Borough Secretary shall find that such proposed bill or sign shall not injure the public health, safety or good order, the Borough Secretary shall issue the license for such bill or sign to be posted or erected, handbill to be distributed or sample or other article for advertising purposes to be distributed. No such license shall be in effect and no bill or sign permitted to be posted or erected thereby shall be permitted to be posted or erected for a period of longer than 10 days from the time of issuance of such license.

§ 57-3. Distribution and posting regulations.

No handbill or sample or other article for advertising purposes shall be cast, thrown or scattered, or caused to be cast, thrown or scattered, in or upon any of the streets, sidewalks or other public places of the borough, or in or upon any private yard, walkway, driveway or porch, but shall be delivered to the owner, occupant or other person then present in or upon such private premises. No handbill or sample or other article for advertising shall be delivered to any

private premises if anyone thereon so requests or if there is placed on the premises in a conspicuous position near the entrance thereof a sign bearing the words "No Trespassing," "No Peddlers or Agents," "No Advertising" or any similar notice indicating in any manner that the occupants of said premises do not desire to be molested or have their right of privacy disturbed or to have any such handbills left upon such premises. No bill shall be posted or sign erected on any lamppost, public utility pole, shade tree or on any public building, property or structure, except as may be required by law. Every such bill or sign posted or erected shall be removed before the expiration of the license therefor, unless a license is renewed before such expiration. All such signs or bills posted or erected shall be tied on, and in no event shall any bill or sign having an adhesive backing be posted or erected on any surface.

§ 57-4. License fees; surety deposit.

The fee for a license required by the provisions of this chapter shall be \$10 for a maximum of 25 bills or signs proposed to be posted or erected and \$5 for each person distributing such handbill, sample or other article for advertising during any given ten-day period. In addition, each applicant shall post a surety bond, in cash or other security acceptable to the Borough Solicitor, in the amount of \$100, conditioned upon the total removal of any bill or sign posted and the distribution of handbills, samples or other articles for advertising in a manner not causing any litter or other cleanup expense to the borough. The return of any surety bond may be delayed pending any inspection which the borough might wish to make in connection with the enforcement of this chapter. Organizations or nonprofit corporations exempted from the provisions of or duly registered pursuant to 10 P.S. § 160-4, as amended, and recognized political organizations conducting political campaigns, are exempt from the license fee imposed by this section. All other requirements set forth in this chapter apply to these organizations.

§ 57-5. Violations and penalties.

Any person who shall be convicted of a violation of any of the provisions of this chapter before any District Magistrate shall be sentenced to pay a fine of not more than \$300, together with costs of prosecution, or to imprisonment in the county jail for a term not to exceed 30 days, or both. The imposition of a penalty as provided herein shall not serve to prevent the abatement of any nuisance or to prevent the revocation of the license held by any person who shall violate the provisions of this chapter or any other law or ordinance while engaged in activities licensed under the provisions of this chapter.