



# Ordinance Fact Sheet

TO: CITY COUNCIL

DATE: June 11, 1998

FROM: CITY MANAGER

**TITLE OF PROPOSED ORDINANCE:** AN ORDINANCE OF THE CITY OF PASADENA REGARDING THE DISTRIBUTION OF UNSOLICITED WRITTEN MATERIAL, AMENDING CHAPTERS 5.20 AND 8.64, AND ADDING A NEW CHAPTER 9.44 TO THE PASADENA MUNICIPAL CODE

**PURPOSE OF ORDINANCE:** The purpose of the ordinance is to regulate the distribution of unsolicited written material to residences and business establishments within the City and to mitigate the negative impacts generated by the distribution of such material. The ordinance is designed to prohibit the distribution of unsolicited written material in defiance of the previously expressed will of the recipient. As directed by the city council, in addition to other exemptions, distribution of notices or other written material by those employed by or acting at the direction of the City, State or federal governments are exempt from the ordinance.

**REASONS WHY LEGISLATION IS NEEDED:** Pasadena Municipal Code ("PMC") Sections 5.20.070 and 5.20.090 currently regulate distribution of handbills and other advertising material to persons and on private property. An ordinance is necessary to amend the PMC to regulate the distribution of unsolicited written material without regard to the content of the material, and to provide appropriate regulations to mitigate the negative impacts of distributing such material. The ordinance repeals PMC Sections 5.20.070 and 5.20.090 and adds a new Chapter 9.44 to provide for regulation of the distribution of unsolicited written material to residences and business establishments.

**PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED:** The Code Enforcement Department would enforce the handbill ordinance and the Business and License Division of the Finance Department would maintain a refusal list which would be provided to the distributors of unsolicited written material. Distributors of unsolicited written material, including, but not limited to advertisements for goods or services and newspapers without subscription service would be

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MEETING OF 6/15/98

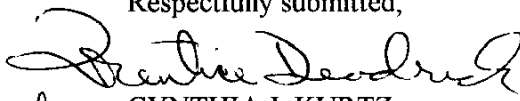
AGENDA ITEM NO. 7.B.(2)(a)

affected by the ordinance. Also, neighborhood groups, homeowner's associations and similar groups which distribute unsolicited written materials would have to obtain a refusal list and comply with the ordinance.


FISCAL IMPLICATIONS: Assuming there is low enrollment and general compliance by distributors, the proposed ordinance is not anticipated to have any fiscal impact on the general fund. However, enforcement costs could range from \$91,073 (1 FTE code officer plus .25 staff assistant and supplies) if enrollments reach a minimum of 5,000 to \$206,836 (2 FTE code officers plus .50 staff assistant and supplies) if enrollments exceed 25,000 per year.


POLICY CHANGES: The policy changes affected by the ordinance include enhanced regulations regarding distribution of unsolicited written material to residences or business establishments. The creation and maintenance of a "refusal list" of those who submit a written request to the City indicating their desire not to receive unsolicited written material would also constitute a policy change, resulting in mitigation of the effects of accumulated and otherwise unsolicited materials on the exterior of residences and business establishments.

Respectfully submitted,

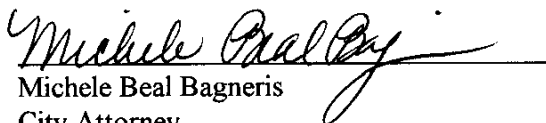
  
for CYNTHIA J. KURTZ  
Acting City Manager

Reviewed by:

  
Jay M. Goldstone  
Director of Finance

  
Prentice Deadrick  
Acting Assistant City Manager

Prepared by:

  
Michele Beal Bagneris  
City Attorney