



Text File

Introduced: 7/22/2008

Bill No: 2008-0624, Version: 2

Committee: Committee on Public Works

Status: Passed Finally

Amending the Pittsburgh Code of Ordinances, Title Six: Conduct; Article I: Regulated Rights and Actions; Chapter 601: Public Order, Section 601.02 by adding a new subsection (b) regulating materials placed in or upon motor vehicles.

Whereas, the City of Pittsburgh has determined that unsolicited materials left on motor vehicles has led to an accumulation of litter and visual blight in the City; and

Whereas, the City of Pittsburgh is also concerned with ensuring that private vehicles are protected from those without permission to use them; and

Whereas, the City of Pittsburgh seeks to advance these interests through a content and viewpoint-neutral regulation that limits the placement of materials in or upon motor vehicles without an owner's consent while leaving open other alternative avenues of distributing this speech.

**Be it resolved that the Council of the City of Pittsburgh hereby enacts as follows:***Section 1.* The Pittsburgh Code of Ordinances, Title Six: Conduct; Article I: Regulated Rights and Actions; Chapter 601: Public Order, Section 601.02, Distributing handbills and samples is hereby amended by adding a new subsection (b) as follows:

**ARTICLE I: REGULATED RIGHTS AND ACTIONS**

**Chapter 601: Public Order**

- 601.01 Posting signs without consent; exceptions
- 601.02 Distributing handbills, ~~and~~ samples, and other materials
- 601.03 Soliciting business
- 601.04 Noise control
- 601.05 Charitable solicitations
- 601.06 Intersexual massage prohibited
- 601.07 Unlicensed alcohol or liquor sale
- 601.08 Alcohol or liquor consumption on streets or sidewalks
- 601.09 Distributions or sale of cigarettes and other tobacco products through vending machines
- 601.10 Spitting
- 601.11 Littering and dumping
- 601.12 Interference with official duties
- 601.13 Required signs on all gasoline stations
- 601.14 Violation and penalty
- 601.15 Rewards

601.16 (Reserved)

601.17 (Reserved)

601.18 Prohibited billing practice

### § 601.01 POSTING SIGNS WITHOUT CONSENT; EXCEPTIONS.

(a) No person shall paste, paint, stamp or in any manner place, affix or attach to any building, fence, bridge, gate or any other public or private property any written, printed or painted advertisement, bill, notice, sign, card or poster, without first obtaining the written consent of the owner or other person lawfully in charge or control of property. This section does not prevent the posting of any notice required or permitted to be posted by law or order of court, ~~and does not prevent the posting of fliers regarding lost pets.~~

(b) The Department of Public Works is hereby authorized and directed to make rules and regulations for the posting of directional signage within the public right-of-way. The Department is authorized to assess fees and prescribe procedures for the issuance of permits for the erection of the signs. The rules, regulations and fees and any amendments thereto shall be submitted to Council for their approval and become effective after due posting and advertising by the Director of Public Works.

(Ord. 16-1993, eff. 6-28-93)

### § 601.02 DISTRIBUTING HANDBILLS, AND SAMPLES, AND ADVERTISING OTHER MATERIALS.

(a) No person shall intentionally, recklessly or negligently distribute any handbill, advertisement, flyer, announcement or any sample merchandise so as to cause litter or unreasonably interfere with pedestrians or traffic.

~~(b) No person shall affix unsolicited advertising to another person's vehicle, including those parked on City streets and in public parking lots, without proper authorization from the owner of the vehicle. Mass distribution of ads for businesses and events, slipped under windshield wipers, are specifically prohibited, because of the potential for creating litter. For that type of violation, penalties shall be imposed in accordance with section 601.14 upon the commercial entity, owners of the entity, distributors of the advertising, and the workers placing the offending advertising under the windshield wipers. Similar offenses shall be similarly enforced.~~

(b) No person shall deposit in, fasten to, or place on or cause to be deposited in, fastened to, or placed on any motor vehicle parked or standing upon or along any public street or public parking lot within the City, any unsolicited handbills, advertisements, cards, leaflets, signs, posters, or notices without obtaining prior consent from the owner of the vehicle.

(1) Nothing contained in this subsection (b) shall prohibit the attachment to a motor vehicle of a citation issued or published by or on behalf of the City or any other material authorized by law to be placed on a motor vehicle by an authorized official.

(2) The provisions of this subsection (b) shall not be deemed to prohibit the distribution of any handbill, advertisement, card, leaflet, sign, poster, or notice by hand-delivery to the owner or other occupant of any vehicle who is willing to accept the handbill, advertisement,

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