

ORDINANCE NO. 13,980

AN ORDINANCE to amend the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, by repealing Section 42-400 thereof and enacting a new Section 42-400, relating to the distribution of handbills and newspapers at private premises.

Be It Ordained by the City Council of the City of Des Moines, Iowa:

Section 1. That the Municipal Code of the City of Des Moines, Iowa, 2000, adopted by Ordinance No. 13,827, passed June 5, 2000, is hereby amended by repealing Section 42-400 thereof and enacting a new Section 42-400, relating to the distribution of handbills and newspapers at private premises, as follows:

Sec. 42-400. Distributing handbills and newspapers at private premises.

(a) No person shall throw, deposit, or distribute any handbill or newspaper in or upon private premises which are inhabited unless:

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(b) (1) No person shall throw, deposit, or distribute any handbill or newspaper in or upon private premises when the owner or occupant specifically requests in writing no handbill or newspaper delivery by any means be made to his

or her premises, and such writing has been provided to the publisher and/or distributor of such handbill or newspaper.

(2) A publisher of a newspaper or handbill may, at its own expense, conduct an annual mail and/or direct delivery survey of occupants of residences without curbside mailboxes. If such a survey is conducted, and

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Section (b) (1) above,
the publisher may assume
express consent exists
to deliver the newspaper
or handbill in the
private driveway of
occupants who do not
return the survey card
which states the
occupant's desire to

discontinue delivery of
the publication.

(c) This section shall
not apply to the
distribution of mail by
the United States Postal
Service.

Sec. 2. This ordinance shall be in full force and effect from
and after its passage and publication as provided by law.

FORM APPROVED:

Douglas P. Philip, Assistant City Attorney

Preston Daniels, Mayor

Attest:

I, Donna Boetel-Baker, City Clerk of the City of Des Moines,
Iowa, hereby certify that the above and foregoing is a true copy
of an ordinance (Roll Call No. 01-2582), passed by the City
Council of said City at a meeting held August 20, 2001, signed
by the Mayor on August 20, 2001, and published as provided by
law in the Business Record on September 3, 2001. Authorized by
Publication Order No. 1870.

Donna Boetel-Baker, MMC City Clerk