

AN ORDINANCE CREATING SECTION 7.06, LITTERING FROM  
UNSOLICITED PUBLICATIONS

The Village Board of the Village of Allouez, County of Brown,  
State of Wisconsin, do ordain as follows:

That Section 7.06, Nuisances, Littering from Unsolicited  
Publications, of the Allouez Code is hereby created to read as  
follows:

- A. The Village Board has determined that the distribution to Village residents of unwanted printed materials and things can result in accumulations on the properties of its residents which can be a signal to vandals and burglars and increase the risk of damage, destruction and theft; and which can be unsightly, contrary to the beauty and aesthetics of the area, and impose a burden on its residents for the clean-up of litter; and which can be an invasion of the privacy and quiet possession of its residents.
- B. This ordinance shall apply to all handbills, pamphlets, leaflets, Circulars, newspapers and printed materials of every type containing text, or graphics, or both, (the "publication"), which:
  - (1) Have not been solicited or requested by a resident or owner of, or by an employee at, the property to which the publication is delivered; and
  - (2) Are delivered or distributed to a property (either private, business or governmental) at no cost to the addressee or resident, by any means other than the United States Mail, except if delivered as part of and concurrently with printed material for which there is an existing paid subscription; and
  - (3) Are delivered or distributed to the property within a continuous thirty (30) day period during which the same or another publication as described in subsections B.(1) and (2) immediately above, has been delivered or distributed to the same property from the same publisher, person, firm, association, corporation, or distributor, or from another on his, her or its behalf,
- C. Any publication subject to the provisions of subsection B., immediately above, shall contain a two-part form which may be completed by a resident, at his, her or its option, for the purpose of notifying the publisher and/or distributor that the publication should not be

distributed to the resident's property for a period of one year from the date of the notice; one part of the form shall be mailed or personally delivered to the publisher and/or distributor, and the other part of the form to the Village Hall; and a certified mail receipt for the notice from the publisher and/or distributor shall create a presumption that the notice was received by the publisher and/or distributor.

- D. No publisher, distributor, person, firm, association, or corporation, or any employee, agent or representative of the same, shall distribute or deliver a publication to any person or property for which he, she or it has received a notice under subsection C., during the one-year period designated in the notice. The act of delivery or distribution by any independent contractor for the benefit of a publisher, distributor, person, firm, association or corporation, shall be conclusively deemed to be the act of such publisher, distributor, person, firm, association or corporation. Each distribution to each person or property in violation of this ordinance shall be deemed to be a separate offense.
- E. Any violation of subsection D., immediately above, is deemed to be a public nuisance and may be abated as otherwise provided in this Chapter 7. This shall not be an exclusive remedy under Section 7.06.
- F. Every person, firm, association, corporation, publisher and/or distributor who shall be found guilty of a violation of this ordinance shall forfeit not less than  
nor more than \$                      for each such violation, together with the costs of prosecution and any other costs that may be imposed by law. This shall not be an exclusive remedy under Section 7.06.

PASSED AND APPROVED by the Village Board by the Village of Allouez  
on this                      day of                      , 2000.

Attest:  
Susan L. Foxworthy,  
Village Clerk-Treasurer

Cameron Mc Cain,  
Village President

PUBLISHED on this                      day of                      , 2000.







