



**CITY OF OAK PARK  
MICHIGAN  
HANDBILL LICENSE APPLICATION**

**I HEREBY APPLY FOR A LICENSE TO DISTRIBUTE HANDBILLS IN ACCORDANCE WITH THE CODE OF ORDINANCES OF THE CITY OF OAK PARK**

**New**     **Renewal**

Name of Applicant: \_\_\_\_\_

Applicant's Address: \_\_\_\_\_

Business Name: \_\_\_\_\_ Phone No: \_\_\_\_\_

Business Address: \_\_\_\_\_

Email Address: \_\_\_\_\_

Nature of Business: \_\_\_\_\_

Length of Distribution Period: \_\_\_\_\_

Number of Distributors: \_\_\_\_\_

1. Complete the distributor information on the back side of this form. We will need color photo copies of all distributors' picture identification or driver's license
2. You are required to register with the Public Safety Department on the day of Distribution
3. Carry a copy of this license with you at all times during your distribution

**I certify that all statements on this application are true. I understand that any false information may result in the revocation of the above license.**

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE: EXEMPTIONS.** The provisions of this ordinance shall not be deemed to apply to the distribution of mail by the United States, nor to newspapers as defined in this ordinance, nor to handbills primarily or solely pertaining to religious, social or political activities.

\_\_\_\_\_  
City Clerk's Office Representative

**This portion to be completed by City Clerk's Office**

Handbill License # \_\_\_\_\_

Date Issued: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

- DURATION:
- |                                   |      |                    |
|-----------------------------------|------|--------------------|
| <input type="checkbox"/> 1 YEAR   | ---- | \$100.00           |
| <input type="checkbox"/> 3 MONTHS | ---- | \$50.00            |
| <input type="checkbox"/> 1 WEEK   | ---- | \$25.00            |
| <input type="checkbox"/> 1 DAY    | ---- | \$10.00            |
| <input type="checkbox"/> CHANGE   | ---- | \$10.00 (PER NAME) |



## HANDBILL INSTRUCTION AND APPLICATION PACKET

1. Please review the attached Ordinances in the Municipal Code of the City of Oak Park as they pertain to handbill distribution.
2. Complete both sides of the application
3. Make all necessary color copies of any Distributor's identification documents
4. Provide the City Clerk's Office with a copy of the material you will be distributing
5. Return the application, required documentation and the appropriate fee to:  

City Clerk's Office  
City of Oak Park  
14000 Oak Park Blvd  
Oak Park, MI 48237
6. The City Clerk's Office will notify you once your license has been approved and is ready for pick up.
7. We suggest that you make plenty of copies of the Handbill License (both sides) That shows that the distributor has been registered and approved by the City of Oak Park (it is likely that a public safety officer will stop and request the approval documents while you are distributing handbills)
8. You will need to notify the City Clerk's Office immediately with any changes, additions or deletions. Effective July 1, 2014 there will be a \$10.00 fee per name for any change

### Please Note:

- a. You cannot place flyers on vehicles
- b. Cannot distribute to vacant premises
- c. Cannot distribute to places where "No Handbills or Solicitation" signs are posted
- d. Cannot be placed in Mailboxes, but must be placed securely as to not cause littering
- e. Cannot solicit before 9:00 a.m. or after 9:00 p.m. and not on Sundays or the following holidays:

New Year's Day  
Memorial Day  
4<sup>th</sup> of July  
Labor Day  
Thanksgiving  
Christmas

Solicitors can place flyers on doors, homes or hand to occupants. Additional rules and regulations can be found in the attached Handbill Ordinance.

Oak Park, Michigan, Code of Ordinances >> PART II - CODE OF ORDINANCES >> Chapter 22 -  
BUSINESSES >> ARTICLE III. - ADVERTISING >> DIVISION 1. GENERALLY >>

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DIVISION 1. GENERALLY

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- Sec. 22-51. Scope.
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- Sec. 22-53. Exemptions.
- Sec. 22-54. Restricted in public places.
- Sec. 22-55. Placing in vehicles.
- Sec. 22-56. Distribution on uninhabited or vacant private premises.
- Sec. 22-57. Distribution where prohibitive signs posted.
- Sec. 22-58. Distribution on inhabited private premises.
- Sec. 22-59. Hours of distribution.
- Sec. 22-60. Billposting in streets.
- Sec. 22-61. Billposting in private places.
- Secs. 22-62—22-70. Reserved.

**Sec. 22-51. Scope.**

This article shall not be deemed to repeal, amend or modify any provision of this Code or city ordinance, either prohibiting, regulating or licensing canvassers, hawkers, peddlers, transient merchants, or any person, using the public streets or places for any private business or enterprise, or for commercial sales not covered in this article.

(Code 1973, § 3-14)

**Sec. 22-52. Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Commercial handbill* means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper, booklet, or any other printed or otherwise reproduced original or copies of any matter or literature:

- (1) Which advertises for sale any merchandise, product, commodity or thing;
- (2) Which directs attention to any business or mercantile or commercial establishment, or other activity, for the purpose of either directly or indirectly promoting the interests thereof by sales;
- (3) Which directs attention to or advertises any meeting, theatrical performance, exhibition, or event of any kind for which an admission fee is charged for the purpose of private gain or profit; but the terms of this clause shall not apply where an admission fee is charged or a collection is taken up for the purpose of defraying the expenses incident to such meeting, theatrical performance, exhibition, or event of any kind, when either of the same is held, given or takes place in connection with the

dissemination which is not restricted under the ordinary rules of decency, good morals, public peace, safety and good order; provided that nothing contained in this clause shall be deemed to authorize the holding, giving or taking place of any meeting, theatrical performance, exhibition, or event of any kind, without a license, where such license is or may be required by any law of this state, or under any provision of this Code or ordinance of this city; or

- (4) Which, while containing reading matter other than advertising matter, is predominantly and essentially an advertisement, and is distributed or circulated for advertising purposes, or for the private benefit and gain of any person so engaged as advertiser or distributor.

*Handbill distributor* means any person engaging or engaged in the business for hire or gain of distributing commercial or noncommercial handbills, other than newspapers distributed to subscribers thereof, and any person receiving compensation directly or indirectly for the distribution of such handbill.

*Newspaper* means any newspaper of general circulation as defined by general law, any newspaper duly entered with the post office department of the United States, in accordance with federal statute or regulation, and any newspaper filed and recorded with any recording officer as provided by general law; and in addition thereto, shall mean and include any periodical or current magazine regularly published with not less than four issues per year, and sold to the public.

*Noncommercial handbill* means any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, newspaper, magazine, paper booklet, or any other printed or otherwise reproduced original or copies of any matter or literature not included in the definition of a commercial handbill or newspaper.

*Private premises* means any dwelling house, building, or other structure, designed or used either wholly or in part for private residential purposes, whether inhabited or temporarily or continuously uninhabited or vacant, and shall include any yard, ground, walk, driveway, porch, steps, vestibule or mailbox belonging or appurtenant to such dwelling, house, building, or other structure.

*Public place* means any and all streets, boulevards, avenues, lanes, alleys, or other public ways, and any and all public parks, squares, spaces, plazas, grounds and buildings.

(Code 1973, § 3-15)

**Cross reference**— *Definitions generally*, § 1-2.

### **Sec. 22-53. Exemptions.**

The provisions of this article shall not be deemed to apply to the distribution of mail by the United States, nor to newspapers, nor to handbills primarily or solely pertaining to religious, social or political activities.

(Code 1973, § 3-16)

### **Sec. 22-54. Restricted in public places.**

It shall be unlawful for any person to deposit, place, throw, scatter, cast, hand out, distribute or sell any commercial handbill in any public place; provided, however, that it shall not be unlawful

for any person to hand out or distribute, without charge to the receiver thereof, any noncommercial handbill in any public place to any person willing to accept such noncommercial handbill.

*(Code 1973, § 3-17)*

#### **Sec. 22-55. Placing in vehicles.**

It shall be unlawful for any person to distribute, deposit, place, throw, scatter or cast any commercial or noncommercial handbill in or upon any automobile or other vehicle. The provisions of this section shall not be deemed to prohibit the handing, transmitting or distributing of any noncommercial handbill to the owner or other occupant of any automobile or other vehicle who is willing to accept the same.

*(Code 1973, § 3-18)*

#### **Sec. 22-56. Distribution on uninhabited or vacant private premises.**

It shall be unlawful for any person to knowingly distribute, deposit, place, throw, scatter or cast any commercial or noncommercial handbill in or upon any private premises which are temporarily or continuously uninhabited or vacant.

*(Code 1973, § 3-19)*

#### **Sec. 22-57. Distribution where prohibitive signs posted.**

It shall be unlawful for any person to distribute, deposit, place, throw, scatter or cast any commercial or noncommercial handbill upon any premises, if requested by anyone thereon not to do so or if there is placed on the premises in a conspicuous position near the entrance thereof, a sign bearing the words: "No Handbills," "No Advertisement" or any similar notice indicating in any manner that the occupants of the premises do not desire to be molested or to have their right of privacy disturbed or to have any such handbills left upon such premises.

*(Code 1973, § 3-20)*

#### **Sec. 22-58. Distribution on inhabited private premises.**

No person licensed under the provisions of this article, or any other person, shall distribute, deposit, place, throw, scatter or cast any commercial or noncommercial handbill in or upon any private premises which are inhabited, except by handing or transmitting any such handbill directly to the owner, occupant, or any other person then present in or upon such private premises; provided, however, that in case of inhabited private premises which are not posted as provided in this article, the licensed or other person, unless requested by an adult occupant of such premises not to do so, may place or deposit any such handbill in or upon such inhabited private premises, if such handbill is so placed or deposited as to secure or prevent such handbill from being blown or drifted about such premises or elsewhere, except that mailboxes may not be so used when so prohibited by federal postal laws or regulations.

*(Code 1973, § 3-21)*

#### **Sec. 22-59. Hours of distribution.**

It shall be unlawful for any person to distribute, deposit, place, throw, or scatter any handbill before the hour of 9:00 a.m. and after the hour of 9:00 p.m. or at any time on Sundays and the following holidays: New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving, and Christmas.

*(Code 1973, § 3-22; Ord. No. O-03-482, § 1, 4-21-03)*

### **Sec. 22-60. Billposting in streets.**

No person shall attach, place, paint, write, stamp or paste any sign, advertisement, or any other matter upon any lamppost, electric light, railway, telegraph, or telephone pole, shade tree, fire hydrant; or on any bridge, pavement, sidewalk or crosswalk, public building or any property or thing belonging to the city, or on any article or thing within any park. Public officers posting any notice required or permitted by law shall be excepted from the provisions of this section.

*(Code 1973, § 3-1)*

### **Sec. 22-61. Billposting in private places.**

No person shall attach, place, write, stamp, or paste any sign, advertisement, or other matter upon any house, wall, fence, gate, post, tree, without first having obtained the written permission of the owner or occupant of the premises and having complied with all provisions of this Code pertaining thereto.

*(Code 1973, § 3-2)*

### **Secs. 22-62—22-70. Reserved.**