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6/08/01

ORDINANCE NO. 3366

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING SECTION 6.40.130 OF THE EDMONDS CITY CODE TO CLARIFY A PROHIBITION AGAINST PLACING COMMERCIAL HANDBILLS ON VEHICLES, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, the current provisions of ECC 6.40.130 prohibit non-commercial handbills from being placed on vehicles, and

WHEREAS, recent case law calls into question the City's ability to restrict placement of non-commercial handbills on vehicles, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The Edmonds City Code, Section 6.40.130 relating to a prohibition against placing handbills on vehicles for a commercial purpose is hereby amended to read as follows:

6.40.130 Placing handbills on vehicles for a commercial purpose.

No person shall throw or deposit a handbill or other written material in or upon any vehicle for a commercial purpose; provided, however, that it is not unlawful in any public place for a person to hand out or distribute without charge to the receiver thereof, a commercial handbill or to place upon any vehicle a handbill distributed for a non-commercial purpose upon any vehicle.

Section 2. Effective Date. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

APPROVED:

MAYOR GARY HAAKENSEN

ATTEST/AUTHENTICATED:

CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY:

BY _____

W. SCOTT SNYDER

FILED WITH THE CITY CLERK: 06/15/2001

PASSED BY THE CITY COUNCIL: 06/19/2001

PUBLISHED: 06/24/2001

EFFECTIVE DATE: 06/29/2001

ORDINANCE NO. 3366

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SUMMARY OF ORDINANCE NO. 3366

of the City of Edmonds, Washington

On the 19th day of June, 2001, the City Council of the City of Edmonds, passed Ordinance No. 3366. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING SECTION 6.40.130 OF THE EDMONDS CITY CODE TO CLARIFY A PROHIBITION AGAINST PLACING COMMERCIAL HANDBILLS ON VEHICLES, AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 20th day of June, 2001.

CITY CLERK, SANDRA S. CHASE