



## Legislation Text

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**File #:** 16-1528, **Version:** 1

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An Ordinance to Amend Sections 7:91, 7:92, 7:93, 7:94, 7:95, 7:96, 7:97, 7:98, 7:100, 7:101, 7:102, 7:103, and 7:104, Repeal Section 7:99 and Revise the Title of Chapter 82, Littering and Distribution of Handbills, of Title VII of the Code of the City of Ann Arbor (Ordinance No. ORD-16-25)

This ordinance amendment intends to address the unsolicited delivery of printed matter to residential properties, which is often accomplished in a manner that is detrimental both to the private property owner as well as to the public.

The specific sections of the ordinance amendment that effect substantive change are Sections 1, 2, and 8, which distinguish between two categories of printed matter: unsolicited and solicited. Section 3 is amended to clarify that the lawn extension is part of the Street (i.e. within the public right-of-way). The remainder of the sections replace the term “handbill” with the new terms “unsolicited printed matter” and “solicited printed matter,” make stylistic changes, or both.

Unsolicited printed matter delivered to residential property is a public nuisance and contributes to litter and blight because it is often flung from a vehicle and lands in streets, public sidewalks, and lawn extensions. Because the delivery was not requested, many property owners do not pick it up and take it into their homes. If the home is vacant (for example, when the owner is on vacation or the property is abandoned), the unsolicited matter piles up making it obvious that the property is a good target for crime in addition to blighting the neighborhood. Even if a property owner is inclined to retrieve it, unsolicited printed matter tends to be relatively lightweight increasing the likelihood it will be blown or washed into the street potentially blocking sewer grates and littering the neighborhood. In addition, there have been complaints that “unsubscribe” requests to the companies responsible for the delivery are not being honored, even though the companies advise making such a request if delivery is unwanted.

For these reasons, the ordinance amendment designates a specific location where the unsolicited printed matter must be placed and specifies a manner in which it must be deposited there. By requiring more careful distribution of unsolicited matter, this ordinance amendment would reduce the frequency of the problems identified above.

Solicited printed matter delivered to residential property is less likely to create the public health, safety, and welfare issues that unsolicited matter creates. Thus, the amendment ordinance requires only that the solicited printed matter be deposited on the private property. While this requirement is not new, it is more clearly expressed in the ordinance amendment because in many instances even solicited printed matter is deposited on the portion of the driveway that is in the public right-of-way, the public sidewalk, the lawn extension, and even in the street.

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Sponsored by: Councilmember Warpehoski, Mayor Taylor, and Councilmembers Westphal, Krapohl and Grand

**(See Attached Ordinance as Amended on November 21, 2016)**