1	ORDINANCE BILL NO. 15-11
2	AN ORDINANCE RELATING TO SOLID WASTE; CREATING NEW PROVISIONS;
3	AMENDING SRC 47.245
4	The City of Salem ordains as follows:
5	Section 1. The following SRC 47.231, is added to SRC Chapter 47:
6	SRC 47.231. Unsolicited Written Materials.
7	(a) Definitions. Unless the context otherwise specificially requires, as used in this
8	section, the following words and phrases mean:
9	(1) Front door means the street-facing entrance or entrances to a principal
10	building. In the event no door faces the street, then any other door of a
11	principal building nearest the street shall be considered a front door for
12	the purposes of this section.
13	(2) Occupant means the one who has possessory rights in, or control over,
14	the property or premises.
15	(3) Porch means an exterior appendage to a principal building leading
16	to a doorway, including any stairway attached thereto.
17	(4) Principal building means the building or combination of buildings that
18	house the primary use occuring on the premises.
19	(5) Primary use means the main activity taking place on the premises.
20	(6) Publisher means the person publishing the unsolicited written
21	materials, and the publisher's employees, agents and distributors.
22	(7) Unsolicited written materials means any written materials, delivered to
23	any premises, without the express invitation or permission, in writing or
24	otherwise, by the occupant of such premises.
25	(b) Unsolicited written materials delivered to a premises by a publisher shall be
26	placed:
27	(1) Where permitted, in a distribution box located on or adjacent to the
28	premises; or
29	(2) On a porch, if one exists, nearest the front door of the principal
30	building; or

1	(3) So such materials are securely attached to the front door; or
2	(4) Through a mail slot for the principal building, if existent, as permitted
3	by the United States Postal Service Domestic Mail Manual,
4	§508 Recipient Services, Subsection 3.1.2; or
5	(5) Between the screen door or storm door to the front door, if existent
6	and unlocked, and the interior front door; or
7	(6) Personally with the occupant of the premises.
8	(c) Notwithstanding subsection (b) of this section, an occupant retains the right to
9	restrict entry to the occupant's premises.
10	(d) The placement of unsolicited written materials at a premises creates a
11	rebuttable presumption that the unsolicited written materials were placed at the
12	premises by the publisher of the unsolicited materials.
13	(e) This section does not apply to the United States Postal Service.
14	Section 2. SRC 47.245 is amended to read:
15	SRC 47.245. Violations.
16	(a) Violation of SRC 47.035, 47.080, 47.135, 47.145, 47.155, 47.165, 47.175,
17	47.185, 47.195(b), 47.200, 47.205, and 47.210, and 47.231 is an infraction and is
18	punishable by a fine of not less of \$100 and not more than \$250. The second and
19	subsequent violation in any one year period is punishable by a fine of \$250.
20	(b) Violation of SRC 47.195(a), 47.220, SRC 47.225 and SRC 47.230 is a
21	misdemeanor.
22	(c) Each day that a violation continues shall constitute a separate violation.
23	Section 3. Severability. Each section of this ordinance, and any part thereof, is severable, and
24	if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of
25	this ordinance shall remain in full force and effect.
26	PASSED by the City Council this day of, 2011
27	ATTEST:
28	City Recorder
29	Approved by City Attorney:
30	Checked by: B. Rogers
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	ORDINANCE – Page 2 COUNCIL OF THE CITY OF SALEM, OREGON
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