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CHAPTER 15. SOLICITING. POSTINGS. ADVERTISING

Editor's Note: This article derives from generally accepted municipal practices.

ARTICLE I. SOLICITING

15.101. TYPES PROHIBITED.

Unless approved by the Mayor and Council, it shall be unlawful:

1. For the operator, owner or manager of any rooming, boarding or lodging house, restaurant, cafe, tea room, lunch room or storage garage, hereafter called establishment, to employ or use any person or persons to solicit patrons therefor, by going upon the streets and accosting pedestrians or occupants of vehicles, either verbally or by means of signs or any other device whatsoever, and

2. For any person acting as agent of any said establishment to accost pedestrians or occupants of motor vehicles upon the streets, either verbally, by means of signs or any other device whatsoever, to solicit such persons to become occupants or patrons thereof.

15.102. USE OF STREETS FOR SALES AND DISTRIBUTION PROHIBITED.

Unless approved by the Town Clerk, it shall be unlawful for any person or group of persons to sell, solicit sales or offer for distribution any merchandise, publication, handbill or pamphlet while such person is standing in the street, areas reserved for parking spaces, the areas reserved for loading and unloading or to enter any of said areas for the purpose of sale and/or delivery of any said items.

15.103. APPEALS.

Appeals shall be made to the Council.

ARTICLE II. POSTINGS, SIGNS, BANNERS, ETC.

Editor's Note: This article derives from generally accepted municipal practices.

15.201. PUBLIC AND PRIVATE PROPERTY. POLITICAL SIGNS.

a. It shall be unlawful to place any advertisement, notice or sign of any nature on public property within the corporate limits, without prior approval of the Town Clerk, or on any private property without prior approval of the owner thereof.

b. The above shall include a banner, canvas, placard, picture, paper, circular, printed matter or any other similar means or device whatsoever.

c. It shall be unlawful to post political signs of any nature on public property, without prior approval of the Town Clerk, including, but not limited to, power poles, telephone poles, street signs, etc.

15.202. HANDBILLS AND PLACARDS. PLACEMENT. APPLICATION.

a. Except as authorized by the Town Clerk, no handbill or placard shall be distributed on public property within the corporate limits.

b. Application for permit to distribute advertising matter shall be made to the Town Clerk.

15.203. MUNICIPAL OR STATE SIGNS.

It shall be unlawful for any person, firm or corporation to remove, tear down, deface or destroy any sign erected by municipal or state authorities.

ARTICLE III. ADVERTISING

Editor's Note. This article derives from Chapter 3 of the 1990 Yemassee Town Code.

15.301. BANKRUPT SALES. AUCTIONS. ETC.

It shall be unlawful for any person to place or erect, or cause to be placed or erected, any signs, placards, advertisements or billboards on or over the streets and sidewalks, attached to the front of any mercantile store or establishment abutting on said sidewalk or street, advertising any bankrupt sale, auctions sale, bargain sale, removal sale or any special sale whatsoever; provided, however, that this shall not prohibit the placing of permanent signs in front of mercantile establishments carrying only the name and character of the business conducted.

15.302. DISPLAY OF MERCHANDISE ON STREETS AND SIDEWALKS.

It shall be unlawful for any person conducting a mercantile or other business or establishment to expose or display any goods, wares, or merchandise by way of advertisement or otherwise on or upon any of the sidewalks or streets of the town.

15.303. POSTING OF ADVERTISING MATTER.

It shall be unlawful to post any notice or advertisement matter either by nailing, gluing, hanging or painting upon any public or private property, without permission of the legal owner of said property.

15.304. SIGNS. BANNERS SUSPENDED ACROSS STREETS.

It shall be unlawful for any person to extend or suspend any sign or banner across any public street, park or other public way without a permit from the Town Clerk.

15.305. LICENSE FEES FOR SIGN ADVERTISING.

- a. Every corporation, association, firm or individual operating advertising signs within the corporate limits of the town shall pay an annual license fee.
- b. A double rate shall apply to all nonresidents.
- c. Such fee shall be as set forth in the "*Schedule of Rates and Fees*" as shown on Exhibit 1 of this code.

ARTICLE IV. ADVERTISING NOISES

Editor's Note. This article derives from generally accepted municipal practices. (For noises from musical devices, see §14.401 and for unreasonable noises, see §14.709, this code.)

15.401. LOUDSPEAKERS, MUSICAL INSTRUMENTS FOR ADVERTISING PURPOSES.

a. It shall be unlawful for any person to maintain and operate in any building or on any premises any radio device or mechanical musical instrument or device of any kind whereby the sound therefrom is cast directly upon the public streets and places in a manner as to create unreasonably loud, excessive and disturbing noise.

b. This shall include any device that is or may be maintained and operated for advertising purposes or for the purpose of attracting the attention of the passing public.

c. Also, any device so placed and operated that the sounds coming therefrom can be heard to the annoyance or inconvenience of travelers upon any street or public place or of persons in neighboring premises.

15.402. NOISE MAKING FOR OTHER PURPOSES.

a. It shall be unlawful for any person to make any noise upon a public street or in a proximity thereto as to be distinctly and loudly audible upon the street by any kind.

b. This shall include, but not be limited to, crying, calling or shouting, or any whistle, rattle, bell, gong, clapper, horn, hammer, drum, musical instrument or other device for any purpose of attracting attention or of inviting patronage of any persons to any business whatsoever.

15.403. SAME. CHURCH BELLS EXCEPTED.

This article shall not apply to the ringing of church bells by established places of worship.

(See also §14.709.b.10, this code.)

ARTICLE V. PENALTIES

15.501. PENALTY.

a. Any person, persons, firm, company, representative of any firm or company and otherwise violating the provisions of this chapter shall, upon conviction, be guilty of a misdemeanor.

b. Each day during which a violation of the provisions of this chapter occurs, or each separate instance, shall be considered a separate offense punishable by a fine not exceeding five hundred dollars (\$500.00) or imprisonment not exceeding thirty (30) days, or both.

(1976 SC Code §14-25-65)