

CITY OF LEWISVILLE, TEXAS

RESOLUTION NO. 4198-08-2015 (R)

**A RESOLUTION REGARDING THE DELIVERY OF
UNSOLICITED OR UNSUBSCRIBED NEWSPAPERS
ON PRIVATE PROPERTY.**

WHEREAS, newspapers serve a vital role in providing information to the public and home delivery is an important tool used by newspapers to reach potential readers; and,

WHEREAS, the distribution of unsolicited and unsubscribed newspapers upon residential property in the City of Lewisville (the "City") creates widespread litter, which is unsightly, unhealthy, and for many elderly and disabled residents, difficult to remove or dispose of when accumulated, which becomes a nuisance when blown around neighborhoods by wind or when wet and destroyed by the elements, or run over by vehicles; and

WHEREAS, the distribution of unsolicited and unsubscribed newspapers upon residential property in the City creates a security concern for residents when unwanted newspapers accumulate, sending a signal to nefarious persons that the resident is not home, thereby increasing the risk of burglary of homes and robbery of residents; and

WHEREAS, unsolicited and unsubscribed newspapers accumulate and enter into creeks, waterways and other nearby open space areas damaging the appearance of these natural areas; and

WHEREAS, public funds are spent every year cleaning up the unsightly material which accumulates due to delivery of unsolicited and unsubscribed newspapers; and

WHEREAS, recipients of unsolicited and unsubscribed newspapers may request the discontinuation of the delivery of said newspapers, the City has received complaints from its citizens that delivery resumes after a period of time; and

WHEREAS, the personnel that delivers the unsolicited and unsubscribed newspapers are considered contractors, the publishers of said newspapers have influence over the delivery process; and

WHEREAS, unlike the delivery of unsolicited and unsubscribed newspapers, recipients who request delivery of newspapers expect to receive them and such newspapers are not left on property in such a way that creates widespread litter, which is unsightly, unhealthy, or which become a nuisance when blown around neighborhoods by wind or when they are wet and destroyed by the element, or run over by vehicles; and

WHEREAS, the City Council finds that the passage of this Resolution is in the best interest of the citizens of Lewisville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL:

Section 1. All of the above recitals are hereby found to be true and correct factual determinations of the City and are hereby approved and incorporated by reference as though fully set forth herein.

Section 2. The City Council of the City of Lewisville urges publishers of unsolicited and unsubscribed newspapers to ensure that the delivery of said newspapers is made in such a way as to avoid the ill effects set forth in the recitals above.

Section 3. If any portion of this Resolution shall, for any reason, be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the remaining provisions hereof and the City Council hereby determines that it would have adopted this Resolution without the invalid provision.

Section 4. This Resolution shall be in full force and effect from and after its passage, and it is accordingly so resolved.

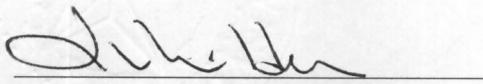
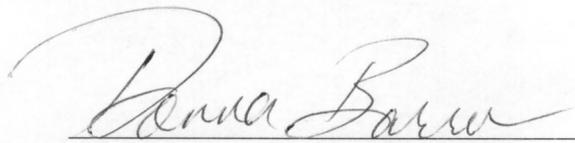
PASSED AND APPROVED ON THIS 3rd DAY OF AUGUST, 2015.

APPROVED:



Rudy Durham, MAYOR

ATTEST:


Julie Heinze, CITY SECRETARY
Donna Barron, CITY MANAGER

APPROVED AS TO FORM:


Lizbeth Plaster, CITY ATTORNEY