



DEPARTMENT SPECIAL ORDER

24 July 1979

25 July 1979

79-2

SUBJECT FIRST AMENDMENT RIGHTS TO DISTRIBUTE OR SELL PRINTED MATERIAL AND TO SOLICIT FINANCIAL CONTRIBUTIONS ON THE PUBLIC WAYS	DISTRI- BUTION B	AMENDS
RELATED DIRECTIVES Municipal Code of Chicago: Chapter 36, Sections 13, 28, 29 and 49.1 Chapter 37, Section 4; Chapters 141, 160 and 193, Section 1(f)		RESCINDS

I. The First Amendment to the Constitution of the United States protects the rights of each citizen, upon the public ways or other public places, to:

- A. express his views through any form of communication, including distribution or sale of newspapers, magazines, handbills or other printed matter; and,
- B. solicit financial contributions for political or religious causes.

II. The following provisions of the Municipal Code of Chicago do not apply to persons who distribute or sell, on a public way or other public place, material containing political or religious ideas:

- A. The licensing or any other provisions of Chapter 160 (Peddlers).
- B. The licensing or any other provisions of Chapter 141 (Itinerant Merchants).
- C. The geographical restrictions on peddling of Sections 36-49.1 and 37-4.
- D. The distribution of handbills, dodgers or other material that contains political or religious ideas is not prohibited by Chapter 36, Section 28 (Distribution of Advertising Matter) of the Municipal Code of Chicago.
- E. The placing of handbills, dodgers or other material that contains political or religious ideas on the windshields of automobiles or the distribution of those items to occupants of automobiles is not prohibited by Chapter 36, Section 29 (Placing Advertising Matter in Automobile) of the Municipal Code of Chicago.
- F. The solicitation of financial contributions for political or religious causes on the public way or other public place is not prohibited by Chapter 36 Section 13 or Chapter 193, Section 1(f) (each relating to solicitation of funds on the public ways) of the Municipal Code of Chicago.

III. No enforcement action will be taken in incidents falling within the provisions of Item II.

IV. When handbills contain primarily commercial or advertising matter and are distributed upon any public way or other public place, or placed on automobiles, for private profit, they are violations of either Chapter 36, Section 28 or Section 29 of the Municipal Code of Chicago.

V. Persons exercising the above rights are required to comply with all laws and ordinances prohibiting physical obstruction of the movement of persons and vehicles on the public ways, and any and all other applicable laws or ordinances.

Authenticated by: *JWR*

Samuel W. Nolan
Acting Superintendent of Police

Read at roll call for 4 consecutive days.
Post on bulletin board for 60 days.