

## INFORMATION ON BALTIMORE, NEW ORLEANS, AND NEW YORK CITY

CITY	CODE SECTIONS				COURT DECISIONS	COMMENTS
	Handbillers	Street Vendors	Street Performers	Others		
Baltimore MD	None	<ul style="list-style-type: none"> <li>○ License required</li> <li>○ Licensing board given discretion in terms of locations for which license is effective; days and times for which the license is effective</li> <li>○ Licensing board to look at volume and types of vehicular and pedestrian traffic in a proposed location or area; number of licenses issued to the same person; and the impact of these activities on health, safety and welfare of the public</li> </ul>	<ul style="list-style-type: none"> <li>○ License required</li> <li>○ Licensing board given discretion in terms of locations for which license is effective; days and times for which the license is effective</li> <li>○ Licensing board to look at volume and types of vehicular and pedestrian traffic in a proposed location or area; number of licenses issued to the same person; and the impact of these activities on health, safety and welfare of the public</li> </ul>	<p>Soliciting and aggressive soliciting (includes legislative findings on why it is necessary to restrict, but not prohibit, such acts)</p> <p>Soliciting customers (unlawful act for any person to obstruct passage on sidewalk by soliciting persons or in any way interfering with their free passage for the purpose of inducing or compelling them to buy any article or thing)</p> <p>Nighttime soliciting</p> <p>Obstructing sidewalk</p>	<p>None found</p> <ul style="list-style-type: none"> <li>○ Annual fee for street performers appears to have been abolished in 2006 - possibly due to threat of litigation</li> </ul>	
New Orleans LA	Permit required for commercial handbills (permits not valid in designated areas of City)	Permit required	License and permit required		Three cases involving ordinances placing restrictions on the French Quarter relating to street vendors	The Director of the Commission that oversees the French Quarter historic district indicated that the commercial handbill provision is being enforced in those

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	like the French Quarter and the Convention Center area)					areas where handbilling is prohibited by city code.
New York City NY		General vendors		Solicitation of pedestrians by "pullers-in"  Littering	Certain licensing provisions relating to general vendors found unconstitutional - free speech	NYCLU feels solicitation provision most likely not enforceable

### INFORMATION ON OTHER CITIES

CITY	PROVISION	COURT DECISIONS	COMMENTS
Atlantic City NJ	<b>HANDBILLERS</b> -- Mercantile license required - responsible for litter/refuse clean-up costs - limit on permits one applicant can have and number of distributors - restrictions on Boardwalk on where distributors can stand	None	City Attorney indicated that handbillers are not a big problem.
St. Augustine FL	<b>STREET PERFORMERS</b> -- Prohibited in city's historic district	Upheld by 11 <sup>th</sup> Circuit in 2001 as not unconstitutionally vague, not overbroad, reasonable time, place and manner restriction	
Ocean City MD	<b>PEDDLING, HAWKING, OR STREET PERFORMING</b> - License required and restrictions on where activities can take place	Sept. 9, 2011, federal district court decision found that provisions were content-neutral restriction on time, place and manner, narrowly tailored to achieve city's interests, and left ample alternative avenues for the plaintiff's expression - however, found registration requirement invalid	
Pittsburgh PA	<b>HANDBILLERS</b> - distribution restricted	Feb. 9, 2011 - federal district court found provision unconstitutional - City would need to demonstrate that leafleting created an "abundance" of litter that would justify the interference with free speech.	