

**CITY OF JORDAN
ORDINANCE 2021-05**

**AN ORDINANCE AMENDING CITY CODE CHAPTER 96 STREETS AND
SIDEWALK; RESIDENTIAL PICKETING BY AMENDING SECTION 96.10**

Subdivision 1. Purpose. The City Council finds that City Code Section 96.10 would be improved by clarifying some language and increasing the penalty for violating Section 96.10 to a misdemeanor.

Subdivision 2. Amendment. NOW BE IT ORDAINED AND ENACTED by the City Council of the City of Jordan that Section 96.10 of the Jordan City Code is hereby amended to read as follows:

§ 96.10 TARGETED RESIDENTIAL PICKETING.

The city has an interest in the protection of ~~individual residential~~ privacy, safety, well-being ~~the~~ and tranquility of ~~the~~ a person's private residence, and in protecting citizens from unwanted speech when they are a captive audience within their private residence. The City Council finds that without resorting to targeted residential picketing, ample opportunities exist for those otherwise engaged in targeted residential picketing to exercise constitutionally protected freedoms of speech and expression. ~~and in protecting ample opportunities for exercising constitutionally protected freedom of speech and expression that does not interfere with individual privacy, or with the well-being and tranquility of private residences~~

(A) *Definitions*. For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

OCCUPANT. Any person who has some legal right to possess or control the residential building.

PICKETING. The act of exercising constitutionally protected freedom of speech and expression by 1 or more persons on a public street, pathway or on other public property.

TARGETED RESIDENTIAL PICKETING. ~~Picketing which may have the effect of causing emotional disturbance and distress to the occupant of a specific targeted residence such that the individual privacy, well-being and tranquility of the residence is or may be disrupted, or where the conduct has as its object the harassing of the occupants~~

- (1) Marching, standing, patrolling, or picketing by one or more persons in front of or adjacent to particular residential building that is directed solely at a particular residential building in a manner that adversely affects the safety, security, privacy, or tranquility of an occupant of the building without the consent of the occupants; or
- (2) Marching, standing, patrolling, or picketing by one or more persons in front of or adjacent to particular residential building which prevents an occupant of a residential building from gaining access to or exiting from the property on which the residential building is located without the consent of the occupants.

(B) *Targeted residential picketing unlawful.* It is unlawful for any person to conduct targeted residential picketing within the city. It is not unlawful for otherwise permissible picketing to occur on public streets and sidewalks that run through a residential area.

~~(C) *Permit required.* Picketing which spans a time period of more than 90 minutes, or includes more than 30 persons is unlawful except where an application has been filed with the Chief of Police at least 24 hours in advance of the picketing. The application shall identify the applicant, provide for a specific time, date, location and route of the proposed picketing, and provide reasonable proof that trained law enforcement or security officers, emergency medical personnel, and sanitation facilities will be provided. No fee shall be required for the application.~~ *Penalty.* Every person convicted of a violation of any provision of this ordinance shall be guilty of a misdemeanor.

Subdivision 3: Effective Date. This ordinance is effective immediately following its publication in the official newspaper of the City.

ORDAINED by the City Council of the City of Jordan, Scott County, Minnesota this ____ day of _____, 2021.

Mike Franklin, Mayor

ATTEST:

Tom Nikunen, City Administrator