

AN ORDINANCE AMENDING SECTION 840.06 AND ADDING NEW SECTION 840.10 TO CHAPTER 840, "PEDDLERS AND SOLICITORS", OF THE CODIFIED ORDINANCES TO CREATE A DO NOT KNOCK REGISTRY

WHEREAS, members of this Council continually receive inquiries from residents about solicitors conducting their activities on city streets in their neighborhoods; and

WHEREAS, Council desires to better regulate these solicitors by informing them of residences where their activity is prohibited at the sole choice of the property owner or occupant; and

WHEREAS, Council finds that the adoption of this Ordinance furthers the City's interest in crime prevention and protection of resident privacy while balancing, consistent with First Amendment jurisprudence, the right of persons wishing to engage in door-to-door solicitation.

NOW, THEREFORE, BE IT ORDAINED by the Council of Hudson, Summit County, State of Ohio, that:

Section 1. Section 840.06 of Chapter 840, "Peddlers and Solicitors", of the Codified Ordinances is amended and new Section 840.10 to Chapter 840, "Peddlers and Solicitors" is adopted, which shall read as follows:

840.06 SOLICITATION IN VIOLATION OF NOTICE AND/OR DO NOT KNOCK REGISTRY.

It is hereby declared to be unlawful and shall constitute a trespass for any person to go upon any premises and ring the door bell upon or near any door, rap or knock upon any door or create any sound in any other manner calculated to attract the attention of any occupant of such residence for the purpose of commercial or non-commercial solicitation in defiance of the notice exhibited at the residence in accordance with the provisions of Section 840.05 and/or in defiance of the Do Not Knock Registry established in Section 840.10 herein, unless the commercial or noncommercial solicitor has been previously invited upon the premises by the owner, lessee, or an adult occupant thereof."

840.10 DO NOT KNOCK REGISTRY.

(a) The City Manager, or the City Manager's designee, shall establish and maintain a Do Not Knock Registry for solicitors.

(b) Any person in lawful possession and occupancy of any residence in the City may request that the City place and maintain his or her residence on the Do Not Knock Registry by submitting a request on form(s) supplied by the City Manager, or the City Manager’s designee, which shall contain the following information:

- (1) The name and signature of the person completing the form(s);
- (2) The complete address of the residence, house, apartment or other dwelling to be placed on the Registry;
- (3) The date the form was completed;
- (4) A statement that there are no solicitors allowed to call at this address, or words of similar import.

(c) Any person in lawful possession and occupancy of any residence in the City may request that the City remove his or her residence, house, apartment or other dwelling from the Do Not Knock Registry by submitting a notice of removal on form(s) supplied by the City Manager, or the City Manager’s designee, which shall contain the following information:

- (1) The name and signature of the person completing the form(s);
- (2) The complete address of the residence, house, apartment or other dwelling to be removed from the Registry;
- (3) The date the form was completed; and
- (4) A statement that the residence, home, apartment or other dwelling be removed from the Do Not Knock Registry, or words of similar import, on the applicable form.

(d) The decision whether to place a residence on the Do Not Knock Registry shall be solely that of the lawful possessor and occupant thereof, and such decision must be communicated in writing to the City Manager, or the City Manager’s designee, which writing may include electronic mail.

(e) A residence, house, apartment or other dwelling, after being lawfully placed on the Do Not Knock Registry shall remain on said Registry until the earliest of any of the following:

- (1) The City receives a notice of removal pursuant to subsection (c) above;
- (2) The City receives actual written notice that the person who submitted the form pursuant to subsection (b) above is not or is no longer a lawful possessor or occupant of the premises; or
- (3) December 31st of all even numbered years.

(f) A copy of the Do Not Knock Registry shall be made available for public inspection at all times on the Internet website of the City of Hudson and during normal business hours of the City of Hudson at the office of the City Manager and shall be given to every person who registers pursuant to Section 840.04.”

Section 2. Existing Section 840.06 of Chapter 840, “Peddlers and Solicitors”, of the Codified Ordinances is hereby repealed.

Section 3. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

William A. Currin, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance was duly passed by the Council of said Municipality on _____, 2013.

Elizabeth Slagle, Clerk of Council