



Ordinance 21 - 3

An Ordinance Amending Chapter 50, Article III, of the City of Elk River, Minnesota City Code Relating to and Regulating Targeted Picketing in Residential Neighborhoods in the City of Elk River

The City Council of the City of Elk River does hereby ordain as follows:

SECTION 1. That Chapter 50, Article III, of the City of Elk River Code of Ordinances shall be amended by adding the new **§50-63, Residential Targeted Picketing** to read as follows:

- (a) Purpose. The City has an interest in the protection of residential privacy, the wellbeing and tranquility of the home, and protecting citizens from unwanted speech when they are a captive audience within their homes. 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.
- (b) Definitions. For the purposes of this Section, the term “targeted residential picketing” means:
 - 1. Marching, standing or patrolling by one or more persons directed solely at a particular residential building in a manner that adversely affects the safety, security, or privacy of an occupant of the building; or
 - 2. Marching, standing or patrolling by one or more persons which prevents an occupant of a residential building from gaining access to or exiting from the property on which the residential building is located; or
 - 3. Standing, marching, patrolling or picketing by one or more persons focused in front of or adjacent to a particular residential dwelling without the consent of that dwelling’s occupant or occupants.
- (c) Prohibited Activity. No person shall engage in targeted residential picketing within the City.
- (d) Violation/Penalty. Every person convicted of a violation of any provision of this Section shall be guilty of a misdemeanor.
- (e) Severability. Should any section, clause or other provision of this Section be held to be invalid by any court of competent jurisdiction, such decision shall

not affect the validity of the Section as a whole, or of any part thereof, other than the part held to be invalid.

SECTION 2. That this ordinance shall take effect upon adoption and be published as provided by law.

Passed and adopted by the City Council of the City of Elk River this 16th day of February, 2021.

John J. Dietz, Mayor

ATTEST:

Tina Allard, City Clerk

