

ORDINANCE NO 1109

CITY OF LOWELL, BENTON COUNTY, ARKANSAS

**AN ORDINANCE APPROVING AND ADOPTING REGULATIONS FOR A
“NO-KNOCK LIST” IN THE CITY OF LOWELL, ARKANSAS.**

WHEREAS, an ordinance does not currently exist to establish, regulate, or maintain a “No-Knock List” within the City of Lowell, Arkansas; and

WHEREAS, the City Council has recognized a need to establish certain regulations and procedures for a “No-Knock List” in order to promote public safety and privacy, as well as recognize and protect the First Amendment rights of all citizens within the City of Lowell; and

WHEREAS, the City Council has determined that it is in the best interest of, and a benefit to the citizens of Lowell to approve of the establishment of a “No-Knock List” and the regulations and procedures necessary for maintenance.

**IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF LOWELL,
ARKANSAS:**

Section 1. The proposed “No-Knock List” and the regulations and procedures necessary for maintenance, attached hereto as Exhibit “A”, is hereby approved and adopted by the City of Lowell.

Section 2. In the event that any section, paragraph, subdivision, clause, phrase, or other provision or portion of this Ordinance shall be adjudged invalid or unconstitutional, the same shall not affect the validity of this Ordinance as a whole, or any part or provision, other than the part so decided to be invalid or unconstitutional, and the remaining provisions of this Ordinance shall be construed as if such invalid, unenforceable or unconstitutional provision or provisions had never been contained herein.

PASSED AND APPROVED this 19th day of July 2022.

APPROVED:

CHRIS MOORE, Mayor

ATTEST:

ELIZABETH ESTES, City Clerk
(SEAL)

NO-KNOCK LIST REGULATIONS

- (a) Purpose and Intent. The restrictions contained within this section are necessary to:
1. Protect public safety and enjoyment of privacy in the city;
 2. Curtail criminal activity in people's homes by reducing, identifying, and evidencing uninvited and unwanted contact on private property;
 3. Protect the privacy interests of those residing in this city; and
 4. Protect those residing in this city from fraud.
- (b) The City Clerk shall maintain a no-knock list.
1. A resident may be placed on the no-knock list for two years if they provide written proof to the City Clerk that they reside at the residence requested to be placed on the no-knock list.
 2. After two years, the City Clerk shall remove the resident from the no-knock list unless the resident:
 - a. Requests to remain on the no-knock list for an additional two years; and
 - b. Provides written proof that they continue to reside at the residence requested to be renewed on the no-knock list.
 3. Written proof under subdivisions b(1) and b(2) of this section shall be in the form of:
 - a. A copy of state issued identification card;
 - b. A current utility bill; or
 - c. A current mortgage statement or lease agreement.
 4. Written proof under subdivisions b(1) and b(2) of this section may be provided to the City Clerk or their designee:
 - a. In person
 - b. By mail; or
 - c. By an electronic means approved by the City Clerk.
 5. A resident on the no-knock list promptly shall notify the City Clerk if they no longer reside at the residence.
 - a. Upon notification that the resident no longer resides at the address on the no-knock list, the City Clerk shall remove them from the no-knock list.
 6. An address shall not be placed on the no-knock list by:
 - a. A property owner's association;
 - b. A homeowner's association; or
 - c. Any other organization representing a group of homes, homeowners, or tenants.
- (c) Before a person goes from door-to-door to make contact with the occupants of more than one residence, they shall:
1. Obtain a copy of the no-knock list from the City Clerk; and
 2. Notify the Lowell Police Department of the dates, times, and locations of the intended areas of contact, by leaving this information with the City Clerk or their designee.
- (d) Knocking prohibited under certain circumstances.
1. Unless the person is invited by or has the permission of a resident of the residence, a person shall not knock on the door of or ring the doorbell of any residence that:
 - a. Is on the No-Knock List; or

- b. Posts a legible and reasonably visible sign stating “No Solicitation” on the property.
- 2. A person shall not knock on the door of or ring the doorbell of any residence after sunset and before sunrise, unless they are invited by or has the permission of a resident of the residence.