

ORDINANCE NO. 2020-501

**CITY OF HUGO
WASHINGTON COUNTY, MINNESOTA**

**AN ORDINANCE OF THE CITY OF HUGO, MINNESOTA,
RELATING TO AND REGULATING TARGETED PICKETING IN
RESIDENTIAL NEIGHBORHOODS IN THE CITY OF HUGO**

WHEREAS, the City Council finds that targeted residential picketing in front of or about a residential dwelling causes emotional distress to the dwelling occupants, obstructs and interferes with the free use of public rights-of-way and has as its object the harassment of the dwelling occupants; and,

WHEREAS, the City Council further finds that, without resorting to targeted residential picketing, ample opportunities exist for those otherwise engaged in targeted residential picketing to exercise constitutionally protected freedom of speech and expression; and,

WHEREAS, the protection and preservation of the home is the keystone of democratic government; the public health and welfare and the good order of the community require that members of the community enjoy, in their homes and dwellings, a feeling of wellbeing, tranquility and privacy and, when absent from their homes and dwellings, carry with them the sense of security inherent in the assurance that they may return to the enjoyment of their homes and dwellings; the practice of picketing before or about residences and dwellings causes emotional disturbance and distress to the occupants, obstructs and interferes with the free use of public sidewalks and public ways of travel; such practice has as its object the harassing of such occupants and, without resort to such practice, full opportunity exists, and under the terms and provisions of this section, will continue to exist for the exercise of freedom of speech and their constitutional rights; and that the provisions hereinafter enacted are necessary for the public interest to avoid the detrimental results herein set forth.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HUGO, MINNESOTA, HEREBY ORDAINS AS FOLLOWS:

SECTION 1. DEFINITIONS. For the purpose 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 occupants.

SECTION 2. 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.

SECTION 3. PROHIBITED ACTIVITY. No person shall engage in targeted residential picketing within the City.

SECTION 4. VIOLATION/PENALTY. Every person convicted of a violation of any provision of this Ordinance shall be guilty of a misdemeanor.

SECTION 5. SEVERABILITY. Should any section, subdivision, clause or other provision of this Ordinance be held to be invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole, or of any part thereof, other than the part held to be invalid.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its passage and publication.

ADOPTED BY THE HUGO CITY COUNCIL ON SEPTEMBER 8, 2020.

Tom Weidt, Mayor

ATTEST:

Michele Lindau, City Clerk