

**CITY OF CRESWELL
ORDINANCE NO. 490**

AN ORDINANCE REGULATING DOOR TO DOOR SOLICITORS WITHIN THE CITY AND AMENDING THE CRESWELL MUNICIPAL CODE CHAPTER 9.20; RESCINDING ORDINANCE 140, AN ORDINANCE OF THE CITY OF CRESWELL, OREGON, TO PREVENT SOLICITORS, PEDDLERS, ETC. FROM GOING UPON PRIVATE PROPERTY UNSOLICITED AND RESCINDING ORDINANCE 244, AN ORDINANCE AMENDING ORDINANCE NO. 140, REGULATING PEDDLERS AND SOLICITORS

WHEREAS, the City Council has the authority to enact regulations to protect the health, safety and welfare of residents of Creswell; and

WHEREAS, residents of Creswell have expressed concern over the unchecked actions of solicitors within the City, including the late hour of contacts and persistent contacts despite residences having signage to indicate the occupants do not accept contacts from solicitors; and

WHEREAS, the Council has an interest in protecting the privacy of its residents, including a resident's quiet enjoyment of their residence from unreasonable contacts by solicitors; and

WHEREAS, the Council has an interest in preventing crime and understands that criminals have been known to pose as solicitors in making late-night contacts at residences to determine whether a particular residence is occupied; and

WHEREAS, the Council understands the United States Constitution First Amendment and Oregon Constitution Article 1, Section 8 rights of solicitors and intends this ordinance to balance the rights of solicitors with the legitimate municipal objective of protecting the residents of Creswell,

NOW, THEREFORE, THE CITY OF CRESWELL ORDAINS AS FOLLOWS:

Section 1. Creswell Municipal Code Chapter 9.20 is replaced in its entirety with the following:

9.20.010 Definitions

Terms used in this Chapter shall have the following meanings:

"Solicitation" means an oral or written request to purchase or trade anything, to contribute or donate money or property for any cause, to render opinions or answer surveys on any subject, or to endorse or support by petition any product, candidate or cause.

"Solicitor" means any person conducting solicitation through door-to-door contacts by traveling about the City.

9.20.020 Limitation on the Hours of Solicitation

No solicitor shall engage in solicitation on premises occupied as a residence within the City between the hours of 8:00 p.m. until 9:00 a.m. except by the prior, express permission of the person occupying or in control of those premises.

9.20.030 Solicitation Signs

- A. No solicitor may enter onto property for the purpose of solicitation or conduct solicitation thereon when the property has been posted by a readable sign or placard stating “no solicitors,” “no solicitation” or “no trespassing.”
- B. No person other than the owner or person in charge of the property may remove, deface or destroy the signs described in this Section.
- C. To limit solicitation under this Chapter, a sign must:
 - 1) Contain the words “no solicitors,” “no solicitation” or “no trespassing” or substantially similar language;
 - 2) Not exceed 12 inches by 12 inches in dimension; and
 - 3) Be clearly visible and posted on or near the boundaries of the property at normal points of entry or at the primary entrance for an occupied structure on the property.

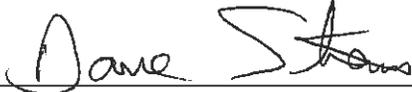
9.20.040 Penalty

Each violation of any provision of this Chapter shall be subject to a fine not to exceed \$250.00.

Section 2. Ordinance No. 140, An Ordinance of the City of Creswell, Oregon, to Prevent Solicitors, Peddlers, etc. from going upon Private Property Unsolicited, an Ordinance 244, An Ordinance Amending Ordinance No. 140, Regulating Peddlers and Solicitors is hereby repealed.

Section 3. This ordinance shall take effect on the thirtieth day after its adoption by the Creswell City Council.

Passed by the Council and approved by the Mayor this 17th day of August, 2015.



DAVE STRAM, Mayor

ATTEST:



ROBERTA J. THARP, City Recorder