

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 09-91

INTRODUCED BY: Gentile, Nickell, Petrusky, Willey, Farrell,
Antoskiewicz, Kasaris, Mayor Stefanik

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 8 BUSINESS REGULATION AND TAXATION CODE, CHAPTER 862 SOLICITORS, PEDDLERS AND CANVASSERS, SECTION 862.06 RESIDENT PROHIBITION BY NOTICE, AND DECLARING AN EMERGENCY

WHEREAS: Chapter 862 of the Codified Ordinances of the City of North Royalton, Ohio provides for the regulation of solicitors, peddlers and canvassers; and

WHEREAS: Section 862.06 allows for resident prohibition by notice; and

WHEREAS: The Council of the City of North Royalton wishes to expand the resident prohibition by notice to include a “Do Not Knock Registry”; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Chapter 862 Solicitors, Peddlers and Canvassers, Section 862.06 Resident Prohibition by Notice to provide for this registry.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Chapter 862, Section 862.06 of the Codified Ordinances of the City of North Royalton is hereby amended to read as follows:

862.06 RESIDENT PROHIBITION BY NOTICE.

Notwithstanding any other provision of this chapter, no peddler, solicitor or canvasser, while peddling, soliciting or canvassing, shall call upon or knock at the door or ring the door bell of any residence, house, apartment or other dwelling in the City *that appears on the “Do Not Knock Registry”* or upon which there is posted at the entrance a notice which reads “No Peddlers, Solicitors or Canvassers Allowed,” or words of similar import, which clearly prohibit peddlers, solicitors and canvassers on the premises, unless such peddler, solicitor or canvasser has previously been invited upon the premises by the owner, lessee or an adult occupant thereof.

(a) *The Director of Public Safety shall establish a “Do Not Knock Registry.”*

(b) *Any person in lawful possession and occupancy of any residence, house, apartment or other dwelling in the City may request the City to place and maintain his or her residence, house, apartment or other dwelling on the “Do Not Knock Registry” by submitting a request on form(s) supplied by the Director of Public Safety, which shall contain the following information:*

- (1) *The 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; and*
- (4) *A statement that “No Solicitors, Peddlers or Canvassers” shall call at this address or words of similar import.*

(c) *Any person in lawful possession and occupancy of any residence, house, apartment or other dwelling in the City may request the City to 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 Director of Public Safety, which shall contain the following information:*

- (1) *The 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, house, apartment or other dwelling be removed from the “Do Not Knock Registry.”*

(d) *The decision whether to place a residence, house, apartment or other dwelling on the “Do Not Knock Registry” shall be solely that of the lawful possessor and occupant thereof.*

(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 notice of removal pursuant to Subsection (c) hereof; or*
- (2) *The City receives formal notice that the person who submitted the form pursuant to Subsection (b) hereof is not or is no longer a lawful possessor and occupant of the premises.*

(f) *A copy of the "Do Not Knock Registry" shall be made available for public inspection at all times during normal business hours at the office of the Director of Public Safety and shall be given to every person who applies for a license pursuant to Section 862.03 or registers pursuant to that section.*

(g) *Notwithstanding any other provision of this Chapter, no solicitor, peddler or canvasser, while soliciting, peddling or canvassing, shall call upon, knock at the door or ring the doorbell of any residence, house, apartment or other dwelling in the City which is at that time on the "Do Not Knock Registry" established and maintained pursuant to this Chapter or upon which there is posted at the entrance a notice which reads "No Peddlers, Solicitors or Canvassers Allowed," or words of similar import, which clearly prohibit solicitors, peddlers or canvassers on the premises, unless such person has previously been invited upon the premises by the lawful possessor and occupant thereof.*

Section 2. Section 862.06 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein, and all other provisions of Chapter 862 shall remain in full force and effect.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to amend the Codified Ordinances of the City of North Royalton, Chapter 862 Solicitors, Peddlers and Canvassers, Section 862.06 Resident Prohibition by Notice to provide for the creation of a "Do Not Knock Registry".

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Vincent A. Gentile
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: September 1, 2009

DATE APPROVED: September 2, 2009

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading September 1, 2009

YEAS: Gentile, Nickell, Petrusky, Willey,
Farrell, Antoskiewicz, Kasaris

NAYS: none