

1000 Harassment

1000.010 Harassing Conduct Prohibited. A person who commits harassment against another, after being notified not to do so by the intended target of the harassment or by the City's Law Enforcement Agency, is guilty of a misdemeanor. As used herein, the term "harassment" means either a willful repeated course of conduct consisting of acts, words or gestures which, the perpetrator knows or reasonably should know, will alarm, anger or disturb the intended target of the harassment; or willful repeated, intrusive, or unwanted acts, words or gestures which, the perpetrator knows or reasonably should know, will adversely affect the safety, security or privacy of the intended target of the harassment.

1000.020 Targeted Residential Picketing.

(A) Purpose. The City of Shoreview has an interest in safeguarding the right of Shoreview residents to enjoy, in their home and dwelling, a feeling of well-being, tranquility and privacy. Repeated picketing has and may result in complaints from the residents. Law enforcement officers have been called into the neighborhoods on numerous occasions, preventing the officers from carrying out their other duties. The Shoreview City Council finds that targeted residential picketing on or about a residential dwelling and repeated picketing in the same residential neighborhood causes emotional distress to the occupants of the residential dwellings; obstructs and interferes with the free use of the public right-of-way; and residents of areas subjected to targeted residential picketing and other repeated picketing feel singled out and harassed. The Shoreview City Council further finds that, without resorting to targeted residential picketing or repeated picketing, ample opportunities exist for those otherwise engaged in targeted residential picketing or repeated picketing to exercise constitutionally protected freedom of speech and expression.

(B) Definition. As used herein, the term "targeted residential picketing" includes one or more of the following activities:

- (1) Marching, standing or patrolling by one or more persons carrying written material, within 100 feet of a residential dwelling, which identifies the occupant(s) of such residential dwelling by name, occupation, photograph or in some other manner.
- (2) Marching, standing, or patrolling by one or more persons within 100 feet of a residential dwelling, who are shouting or otherwise verbalizing protests which identify the occupant(s) of such residential dwelling by name, occupation, or in some other manner.

- (3) Marching, standing, or patrolling by one or more persons which interferes with the ability of the occupant(s) of a residential dwelling from gaining access to or egress from the property on which such residential dwelling unit is located.
- (4) Marching, standing, or patrolling by one or more persons within 100 feet of a residential dwelling for a continuous period of five (5) minutes or more.

(C) Restricted Picketing Zone. As used in this section relating to the investigation and establishment of a Restricted Picketing Zone, the term "Picketing" means marching, standing or patrolling by one or more persons for purpose of demonstration or protest.

(1) Investigation. The City Council shall investigate any request from a Shoreview resident to establish a Restricted Picketing Zone because repeated picketing is occurring in the resident's neighborhood. The City Council's investigation of the request shall include a review of the following circumstances:

- (a) Area in which picketing has occurred.
- (b) Number of prior picketing events.
- (c) Date, time and duration of picketing events.
- (d) Estimated number of picketers per picketing event.
- (e) Estimated number of law enforcement officials responding to picketing events.
- (f) Description of conduct occurring at picketing events.
- (g) Proposed focus of picketing activity.
- (h) Results of a neighborhood survey in regard to the impact of picketing activity on the resident's sense of well-being, tranquility, privacy, and enjoyment of their home.

(2) Establishment. Upon completion of its investigation, the City Council may, by three affirmative votes, deny the request or adopt a resolution which establishes a Restricted Picketing Zone. The resolution shall define the restrictions which will apply within the Restricted Picketing Zone and shall comply with the following standards:

- (a) The length of the Restricted Picketing Zone may not exceed the combined width of one lot on either side of the focus of the picketing activity plus the width of the lot occupied by the focus of the picketing activity; or, the combined distance of 100 feet on either side of the lot occupied by the focus of the picketing activity plus the width of the lot occupied by the focus of the picketing activity, whichever combined linear dimension is less.
 - (b) At least ten picketers shall be allowed in the Restricted Picketing Zone on approved dates and during approved hours.
 - (c) Picketing shall be allowed in the Restricted Picketing Zone for a minimum of two hours in each two week period. One hour of picketing shall be allowed after 6:00 p.m. on Monday through Friday or on either Saturday or Sunday.
 - (d) No sound enhancing equipment shall be used by picketers or by those who are observing picketers.
 - (e) The Restricted Picketing Zone may not continue for more than two years.
 - (f) A Restricted Picketing Zone may not be reestablished for at least one month following the termination of prior restricted zone for the same general area.
- (3) Notice of Zone Establishment. Upon adoption of a resolution which establishes a Restricted Picketing Zone, advisory signs shall be erected at the beginning and end of the zone which indicate:
- (a) That a Restricted Picketing Zone has been established.
 - (b) The maximum number of picketers allowed within the Restricted Picketing Zone at one time.
 - (c) The days of the week and hours of the day during which picketing will be allowed within the Restricted Picketing Zone.
 - (d) That the use of sound enhancing devices in the Restricted Picketing Zone is prohibited.
 - (e) The beginning and termination dates for the Restricted Picketing Zone.
 - (f) That prior to picketing within the Restricted Picketing Zone, a person or a representative of a group of people shall give notice to the City Manager on forms provided by the City Manager. The notice shall be

submitted during normal business hours at Shoreview City Hall at least three (3) business days before but not more than five (5) business days before the proposed picketing activity.

- (4) City Manager Notification. Prior to picketing within the Restricted Picketing Zone, a person or a representative of a group of people shall give notice to the City Manager on forms provided by the City Manager. The notice shall be submitted during normal business hours at Shoreview City Hall at least three (3) business days before but not more than five (5) business days before the proposed picketing activity. The City Manager shall notify its law enforcement agency and residents who occupy property adjacent to the Restricted Picketing Zone of the proposed Picketing Event.
- (5) Prohibited Activities. No person shall engage in targeted residential picketing within the City of Shoreview. No person shall engage in picketing within a Restricted Picketing Zone in a manner contrary to the advisory signs that identify the Restricted Picketing Zone. A violation of this section shall be a misdemeanor.