

ORDINANCE NO. 178-17

BY: **DEBORAH LIME**
(By Request – Safety Director)

AN ORDINANCE TO AMEND SECTION 757.06 “RESIDENT PROHIBITION BY NOTICE” WITHIN CHAPTER 757 “PEDDLERS AND SOLICITORS” OF THE PARMA CODIFIED ORDINANCES, AND DECLARING AN EMERGENCY.

THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO HEREBY ORDAINS:

Section 1. Section 757.06 “Resident Prohibition By Notice” within Chapter 757 “Peddlers and Solicitors” of the Parma Codified Ordinances is hereby amended to read as follows, with deletions thereto crossed out and additions thereto in bold and underlined:

757.06 RESIDENT PROHIBITION BY NOTICE.

(a) ~~The Director of Public Safety shall separately establish and maintain each of the following:~~ **If requested by the City, and for as long as the Northeast Ohio Public Energy Council (“NOPEC”) shall agree to do so, NOPEC shall manage for the City a “Do Not Knock Registry” (“Registry”) and is authorized to contact persons on the Registry to distribute “Do Not Knock” stickers to them at no cost to the City or to said persons. NOPEC shall further contact persons listed on the Registry to update the Registry on a quarterly basis each year.**

~~(1) A “Peddlers Do Not Call Registry”; and~~

~~(2) A “Solicitors Do Not Call Registry”.~~

(b) Any person in lawful possession and occupancy of any residence, house, apartment or other dwelling in the City may require ~~the City~~ **NOPEC** to place and maintain his or her residence, house, apartment or other dwelling on the ~~Peddlers Do Not Call Registry and/or the Solicitors Do Not Call Registry~~ **Do Not Knock Registry** by submitting a separate request for each registry on form(s) supplied by the Director of Public Safety, **or by submitting a request online at www.blocktheknock.com or at a Block the Knock community event,** ~~each of which shall contain the following information:~~

(1) The **name and** signature of the person completing the form(s), unless the submission is done electronically ~~with a secure password on the City of Parma website;~~

(2) The complete address of the residence, house, apartment or other dwelling to be placed on the registry **Do Not Knock Registry**;

(3) A valid email address of the person completing the form(s):

~~(3)~~ **4** The date the form was completed;

~~(4)~~ **5** A statement that "No **Solicitors or** Peddlers Shall Call at this Address" or words of similar import ~~on the form for the Peddlers Do Not Call Registry and/or a statement that "No Solicitors Shall Call at this Address" or words of similar import for the Solicitor's Do Not Call Registry;~~ and

~~(5)~~ **6** The exceptions, if any, which the person completing the form(s) wishes to be made to the requirement that peddlers or solicitors not call **knock** at his or her residence, house, apartment or other dwelling.

(c) Any person in lawful possession and occupancy of any residence, house, apartment or other dwelling in the City may require the City **or NOPEC** to remove his or her residence, house, apartment or other dwelling from the ~~Peddlers Do Not Call~~ **Do Not Knock** Registry and/or the ~~Solicitors Do Not Call Registry~~ by submitting a separate Notice of Removal from either or both said registries on form(s) supplied by the Director of Public Safety, **or by submitting a request online to www.blocktheknock.com** each of which shall contain the following information:

(1) The **name and** signature of the person completing the form(s), ~~unless the submission is done electronically with a secure password on the City of Parma website;~~

(2) The complete address of the residence, house, apartment or other dwelling to be removed from each **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 ~~Peddlers Do Not Call~~ **Knock** Registry and/or the ~~Solicitors Do Not Call Registry~~.

(d) The decision whether to place a residence, house, apartment or other dwelling on the ~~Peddlers Do Not Call~~ **Knock** Registry and/or the ~~Solicitors Do Not Call Registry~~ shall be solely that of the lawful possessor and occupant thereof and no official, agent or employee of the City of Parma shall interfere with said decision.

(e) A residence, house, apartment or other dwelling, after being lawfully placed on the ~~Peddlers Do Not Call~~ **Knock** Registry and/or the ~~Solicitors Do Not Call Registry~~ shall remain on said registry until the earliest of any of the following:

(1) The City **or NOPEC** receives a Notice of Removal pursuant to division (c) of this section; **or**

(2) The City **or NOPEC** receives **formal** notice that the person who submitted the form pursuant to division (b) of this section is not or is no longer a lawful possessor and occupant of the premises; ~~or~~

~~(3) The expiration of five calendar years, expiring on December 31, from the date of the form submitted pursuant to division (b) of this section.~~

(f) A copy of the Peddlers Do Not Call **Knock** Registry ~~and a copy of the Solicitors Do Not Call Registry~~ shall be made available for public inspection ~~at all times on the internet website of the City of Parma and~~ during normal business hours at the office of the Director of Public Safety.

(g) Notwithstanding any other provision of this Chapter, no peddler, while peddling, **or solicitor, while soliciting**, 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 Peddlers Do Not Call **Knock** Registry established and maintained pursuant to this Chapter or upon which there is posted at the entrance a notice which reads "No Peddlers Allowed", "**No Solicitors Allowed**", "**Do Not Knock**" or words of similar import, which clearly prohibit peddlers **or solicitors** on the premises, unless such peddler **or solicitor** has previously been invited upon the premises by the lawful possessor and occupant thereof.

~~(h) Notwithstanding any other provision of this chapter, no solicitor, while soliciting, 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 Solicitors Do Not Call Registry established and maintained pursuant to this chapter or upon which there is posted at the entrance a notice which reads "No Solicitors Allowed", or words of similar import, which clearly prohibit solicitors on the premises, unless such solicitor has previously been invited upon the premises by the lawful possessor or occupant thereof.~~

Section 2. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 3. 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 the 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 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City of Parma, and for the further reason that this measure is necessary in order to have NOPEC manage the Do Not Knock Registry established under Section 757.06 of the Parma Codified Ordinances. Therefore, this Ordinance shall go into immediate effect upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise at the earliest time allowed by law.

PASSED: _____ PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____
CLERK OF COUNCIL

FILED WITH
THE MAYOR: _____ MAYOR, CITY OF PARMA, OHIO