



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 10/19/2021

ITEM NO: 11

DATE: October 18, 2021
TO: Mayor and Town Council
FROM: Robert Schultz, Town Attorney
SUBJECT: Consider Adoption of an Urgency Ordinance of the Town of Los Gatos Amending Section 18.50.100 of the Town Code to Prohibit Targeted Residential Picketing

RECOMMENDATION:

It is recommended that the Town Council adopt an Urgency Ordinance of the Town Council of the Town of Los Gatos amending Town Code Section 18.50.100 to prohibit targeted picketing in residential areas.

BACKGROUND:

The Mayor has requested that the Town Council consider the adoption of an ordinance prohibiting targeted picketing within 300 feet of the residence of a particular person. Targeted picketing is defined as picketing activity that is targeted at a particular residential dwelling and proceeds on a definite course or route in front of or around that particular residential dwelling. Picketing activity that is targeted at a particular residence may harass and intimidate such occupants, is inherently and unreasonably offensive to and intrusive upon the right to privacy in the home, and may cause the occupants of such home to experience great emotional distress. Such unwelcome and targeted picketing activity creates a 'captive audience' situation because the occupants of a residence or household cannot readily move to another residence or household in order to avoid the unwelcome picketing activity being directed at them.

DISCUSSION:

The ordinance, as amended, is narrowly tailored to protect the safety and tranquility of residents while leaving open ample alternative channels of communication. The ordinance is content neutral and merely restricts the time, place and manner of picketing. Adopting this ordinance will protect residents from being individually targeted while not prohibiting other lawful demonstrations. Ordinances similar to this have been adopted by many cities in the State of California and around the country and have withstood legal challenge.

Reviewed by: Town Manager and Assistant Town Manager

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SUBJECT: Adopt an Urgency Ordinance Related to Prohibiting Picketing in Residential Areas

DATE: October 18, 2021

CONCLUSION:

It is recommended that the Town Council adopt an Urgency Ordinance of the Town Council of the Town of Los Gatos amending Town Code Section 18.50.100 to prohibit targeted picketing in residential areas.

COORDINATION:

This report was coordinated with the Town Manager's Office.

FISCAL IMPACT:

There will be no fiscal impact to the Town at this time.

ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachment:

1. Draft Urgency Ordinance