



Memorandum

To: Mayor Nelson and Members of the City Council

From: Daniel R. Buchholtz, MMC, Administrator, Clerk/Treasurer

Date: February 10, 2021

Subject: Targeted Residential Picketing Ordinance

Pursuant to the consensus of the City Council at its February 8, 2021 work session, staff is presenting an ordinance prohibiting targeted residential picketing for City Council approval.

Targeted residential picketing is defined in the ordinance as:

1. Marching, standing or patrolling by one or more persons directed solely at a particular residential building in a manner that adversely affects the safety, security or privacy of an occupant of the building;
2. Marching, standing or patrolling by one or more persons which prevents an occupant of a residential building from gaining access to or exiting from the property on which a residential building is located; or
3. Standing, marching, patrolling, or picketing by one or more persons focused in front of or adjacent to a particular residential dwelling without the consent of the dwelling's occupants.

White Bear Township was one of the first to adopt a targeted residential picketing ordinance in the early 1990s after continued protests in front of the home of the Executive Director of Planned Parenthood. The ordinance was challenged and, in 1993, was determined to be constitutional by the Minnesota Court of Appeals as “a constitutionally valid time, place, or manner regulation of expression in a public forum.”

Since the targeted residential picketing incident in Hugo, a number of north metro cities have adopted, or are in the process of adopting, the ordinance, including Hugo, Lino Lakes, Centerville and Blaine.

While Minnesota State Law 609.748, subd. 1 already outlaws targeted residential picketing, the statute requires the picketing to happen more than once. The proposed City ordinance would outlaw if on the first offense.

If you have any questions, please don't hesitate to contact me at 763-784-6491.

