

## ORDINANCE NO. 2545

**AN ORDINANCE PROHIBITING DOOR-TO-DOOR SOLICITATION AT RESIDENCES WITH POSTED "NO SOLICITING" SIGNS; REGULATING HOURS; PROVIDING FOR PROCEDURES AND PENALTIES; REPEALING ORDINANCE 1187; AND DECLARING AN EMERGENCY**

[Whereas clauses.]

**THE CITY OF WOODBURN ORDAINS AS FOLLOWS:**

**Section 1. Definition.** For the purposes of this Ordinance, the terms "solicit" and "solicitation" shall mean the entry onto real property used for residential purposes by a person for the purpose of communicating with an occupant of the property, whether the communication is verbal, visual or in writing.

**Section 2. Solicitation Times.** It is unlawful for any person to solicit before 9:00 a.m. or after 9:00 p.m. without the invitation of the occupant. (As amended by Ordinance 2557)

**Section 3.** (Section 3 repealed by Ordinance 2557)

**Section 4. Effect of Posting "No Solicitation" Sign.** (As amended by Ordinance 2557)

- A. If an occupant of real property chooses to not invite solicitors onto their property the occupant may post a "No Solicitation" sign pursuant to this section. The effect of posting a sign stating "No Solicitation," or similar words to that effect, is to express the refusal of the occupant to grant consent to any person to enter their real property to solicit.
- B. Signs posted pursuant to this section shall be posted on or near the boundaries of the property at the normal points of entry.

**Section 5. Civil Penalty – Civil Infraction.** (As amended by Ordinance 2557)

- A. A first violation of Section 2 of this Ordinance constitutes a Class 5 Civil Infraction.
- B. A second violation of Section 2 of this Ordinance by the same person within a twelve (12) month period constitutes a Class 3 Civil Infraction.
- C. Civil violations of Section 2 of this Ordinance are filed in the Woodburn Municipal Court as Civil infractions and shall be processed according to the procedures contained in the Woodburn Civil Infraction Ordinance.

**Section 5A. Criminal Penalty- Criminal Trespass.** A person who enters or remains unlawfully on property posted with a "No Solicitation," "No Trespassing," or similar sign is subject to prosecution for Criminal Trespass under Oregon state statute by the Marion County District Attorney's Office in Marion County Circuit Court. (As amended by Ordinance 2557)

**Section 6. Repeal of Prior Ordinance.** Ordinance 1187 is repealed in its entirety.

**Section 7. Compatibility.** Nothing in this Ordinance shall relieve any person or entity who solicits and conducts business in the City from compliance with Ordinance 2399, the Business Registration Ordinance.

**Section 8. Severability.** The sections and subsections of this Ordinance are severable. The invalidity of any section or subsection shall not affect the validity of the remaining sections and subsections.

**Section 9. Savings.** The repeal of any ordinance by this Ordinance shall not preclude any action against any person who violated the ordinance prior to the effective date of this Ordinance.

**Section 10.** [Emergency Clause]

*Passed by the Council and approved by the Mayor March 13, 2017. Amended by Ordinance 2557 passed April 9, 2018.*