

ORDINANCE NO. 884
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
REGULATING TARGETED RESIDENTIAL PICKETING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. FINDINGS. The Board of Supervisors of the County of Riverside finds that:

- a. The preservation and protection of the right to privacy in the home and the enjoyment of tranquility, well-being and sense of security in the home are in the public interest and are uniquely and critically important to the public health, safety and welfare.
- b. Picketing activity that is targeted at a particular residence or household whose occupants do not welcome such activity may harass and intimidate such occupants, is inherently and unreasonably offensive to and intrusive upon the right to privacy in the home, disturbs the sense of peace and tranquility traditionally enjoyed by individuals in their homes, and may cause the occupants of such home to experience great emotional distress.
- c. 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.
- d. This “captive audience” situation and the protection of the right to privacy in the home require enactment of a reasonable time, place and manner restriction upon such unwelcome picketing activity that is targeted at a particular residence or household.

Section 2. PURPOSE. The purpose of this ordinance is to reasonably regulate the time, place and manner of picketing activity targeted at a particular residential dwelling in order to preserve the right of privacy and the feeling of peace and tranquility which should be enjoyed in residential dwellings and the right of residents not to be captive audiences to unwanted speech. This ordinance prohibits picketing focused on and taking place in front of a particular residence. It is not intended to preclude the right to picket in a residential area generally and in such a manner that does not target or focus upon a particular residential dwelling. The limited purpose of the prohibition is to preclude intrusion upon the constitutionally protected privacy rights of the targeted resident.

Section 3. DEFINITIONS.

- a. Picketing. The posting of a person or group for a demonstration or protest.

- b. Targeted Picketing. 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.
- c. Residential Dwelling. Any permanent building being used by its occupants solely for non-transient residential uses.
- d. Sidewalk Space. That portion of a street between the curb or vehicular traffic line and the adjacent property line.
- e. Street. The right-of-way within which improvements are constructed for the conveyance of vehicular and pedestrian traffic.
- f. Targeted Dwelling. Any residential dwelling in which the target or targets of targeted picketing reside.
- g. This ordinance does not and shall not be interpreted to preclude picketing in a residential area that is not targeted at a particular residential dwelling.

Section 4. PROHIBITION. No person shall engage in targeted picketing within thirty (30) feet of the property (measured from the property line) upon which the targeted residential dwelling is located, except on the sidewalk space on the opposite side of the street from the targeted residential dwelling.

Section 5. PENALTIES. Any person violating this ordinance shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this ordinance is committed or continued.

Any person so convicted shall be (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200) for a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000) or six months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor.

Section 6. SEVERABILITY. If any provision of this ordinance or the application thereof to any person, entity, etc. is found to be invalid this shall not affect the provisions of the ordinance that can be given effect.

Section 7. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Adopted:

884 Item 3.6 of 03/03/09 (Eff: 04/02/2009)