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April 16, 2012.)

ORDINANCE NO. 2660

AN ORDINANCE AMENDING TITLE 27, TULSA REVISED ORDINANCES, BY CREATING A NEW CHAPTER THERETO TO BE CODIFIED AS CHAPTER 29, ENTITLED "DOOR TO DOOR SOLICITATION;" PROVIDING FOR DEFINITIONS; PROVIDING FOR CERTAIN OFFENSES AS DESCRIBED HEREIN; PROVIDING FOR PENALTIES; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 27, Tulsa Revised Ordinances be and the same is hereby amended by adding Chapter 29, to read as follows:

"CHAPTER 29

DOOR TO DOOR SOLICITATION

- SECTION 2900. TITLE.**
- SECTION 2901. PURPOSE AND INTENT.**
- SECTION 2902. DEFINITIONS.**
- SECTION 2903. OFFENSES.**
- SECTION 2904. PENALTY.**

SECTION 2900. TITLE

This Chapter shall be known as the "Door to Door Solicitation" Ordinance.

SECTION 2901. PURPOSE AND INTENT

The public purpose of this ordinance is to protect the health, safety and welfare of the citizens of the City of Tulsa, Oklahoma and the public at large by regulating door to door solicitation in residential zoning districts. The City has promulgated reasonable time, place and manner restrictions on door to door solicitations occurring within residential zoning districts in order to reduce crimes such as fraud, identity theft, larceny, burglary, and home invasion; to protect its citizens from annoying, intrusive or dangerous solicitations; and to assist law enforcement personnel in the performance of their duties.

SECTION 2902. DEFINITIONS

For the purposes of this chapter, the following words and phrases shall have the meanings given herein.

A. Residential zoning district shall mean a residential district as defined in Title 42 of the Tulsa Revised Ordinances.

B. Soliciting or solicitation shall mean the act of asking, bartering, or communicating in any other such manner, whether orally or in writing, hand signing, or any other method, either directly or by implication, for the purpose of receiving or obtaining money, alms, gifts, or other items of value, or taking orders for any goods, merchandise or services, whether or not an actual employment relationship is created, a transaction is completed, or an exchange of money, goods or services actually takes place.

SECTION 2903. OFFENSES

A. It shall be unlawful and an offense for any person to go from house to house or door to door within a residential zoning district for the purpose of soliciting the occupant thereof, except between the hours of 8:00 AM and 7:00 PM, in the absence of a specific invitation or appointment from the occupant of the residence.

B. It shall be unlawful and an offense for any person to engage in solicitation within a residential zoning district to go from house to house or door to door and ring the doorbell, rap, or knock upon the door, or create any sound in a manner calculated to attract the attention of the occupant thereof for the purpose of engaging in solicitation, except between the hours of 8:00 AM and 7:00 PM, in the absence of a specific invitation or appointment from the occupant of the residence.

C. It shall be unlawful and an offense for any person engaged in solicitation within a residential zoning district to remain in a private residence or upon the premises of a private residence after the owner or occupant has requested that person to leave.

D. It shall be unlawful and an offense for any person to engage in solicitation within a residential zoning district at a private residence that has a posted sign indicating that the resident or occupant does not want such activities upon their private premises. Examples of such a sign include, but shall not be limited to, "No Soliciting," "No Solicitation," "No Trespassing," or "Keep Out."

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SECTION 2904. PENALTY

Any person violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction thereof, shall be punished by a fine of not more than ONE THOUSAND TWO HUNDRED DOLLARS (\$1,200.00) and/or by imprisonment in the City Jail for not more than six (6) months, excluding costs, fees and assessments.”


Section 2. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 3. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.

ADOPTED by the Council: MAR 15 2012
Date


Chairman of the Council

ADOPTED as an emergency measure: MAR 15 2012
Date


Chairman of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

Dewey F. Bartlett, Jr.

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: APR 09 2012,
Date

at _____
Time

Alvin F. Daulton
Mayor

(Seal)

ATTEST:

Kimi Bennett
City Clerk **DEPUTY**



APPROVED:

Paul C. Muehle 4/11/12
City Attorney