

ORDINANCE NO. 2038

INTRODUCED BY: AMADOR, BENSON, BULLOCK, CARSON, DOUGLAS, ELLIOTT,
FORD, MCELLOWNEY, TETER

**AN ORDINANCE REPEALING PARAGRAPH (E) AND AMENDING PARAGRAPH (F)
OF SECTION 12-5005 OF THE COMMERCE CITY REVISED MUNICIPAL CODE
PERTAINING TO RESTRICTED AND PROHIBITED SOLICITATIONS**

WHEREAS, Section 12-5005(e) of the Commerce City Revised Municipal Code (“Municipal Code”) prohibits in-person commercial solicitations in residential areas of the City of Commerce City and Section 12-5005(f) of the Municipal Code prohibits in-person solicitations of any kind when a “No Solicitation” or “No Trespassing” sign is posted on the property; and

WHEREAS, Sections 12-5005(e) and (f) of the Municipal Code were enacted for the purpose of protecting the privacy and safety of Commerce City residents; and

WHEREAS, City Council has recently heard from area businesses that Section 12-5005(e) of the Municipal Code, prohibiting in-person commercial solicitations, negatively impacts their ability to effectively operate within the City; and

WHEREAS, City Council wishes to continue to protect the privacy and safety of its residents but also allow for the effective operation of businesses within the City; and

WHEREAS, City Council believes that this desire can be accomplished through the repeal of Section 12-5005(e) of the Municipal Code, which repeal will allow businesses to engage in door-to-door solicitations generally, and the addition of clarifying language to Section 12-5005(f) of the Municipal Code, which will allow residents, individually, to determine whether or not they wish to be disturbed in their homes.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COMMERCE CITY, COLORADO AS FOLLOWS:

SECTION 1. That Section 12-5005(e) of the Commerce City Revised Municipal Code is hereby repealed in its entirety.

SECTION 2. That Section 12-5005(f) of the Commerce City Revised Municipal Code is hereby amended to read as follows:

(f) *Solicitations on posted property.* It shall be unlawful for any person to enter or remain upon any public or private premises in the city for the purpose of soliciting the immediate or future purchase or sale of goods, services, or any other thing of value, or to solicit a gift, a donation, a vote, or any other support or belief when a “No Solicitation” or “No Trespassing” sign is posted at or near the entrance(s) to such premises unless the permission of the owner, agent, representative or occupant of the premises has been previously obtained. This provision shall apply to all solicitations, including, without limitation, those that

are charitable, civic, educational, recreational, fraternal, religious, or political in nature.

SECTION 3. This Ordinance shall take effect on January 1, 2015.

INTRODUCED, PASSED ON FIRST READING AND PUBLIC NOTICE
ORDERED THIS 17TH DAY OF NOVEMBER, 2014.

PASSED ON SECOND AND FINAL READING AND PUBLIC NOTICE ORDERED
THIS 15TH DAY OF DECEMBER, 2014.

CITY OF COMMERCE CITY, COLORADO

Sean Ford, Mayor

ATTEST:

Laura J. Bauer, CMC, City Clerk