

**VILLAGE OF LOS RANCHOS  
DE ALBUQUERQUE  
ORDINANCE NO. 241**

**AN ORDINANCE RELATED TO THE PICKETING OR DEMONSTRATING IN RESIDENTIAL AREAS. CREATING ARTICLE 6 OF CHAPTER 7 OF THE 2013 CODIFIED ORDINANCES.**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE VILLAGE OF LOS RANCHOS DE ALBUQUERQUE:**

**§7.6.1 General Provisions**

The Board of Trustees of the Village of Los Ranchos finds that it is in the best interest of the residents of the Village, for their safety and well-being and due to the limited law enforcement resources of the Village to restrict demonstrations, picketing, and similar activities in residential areas of the Village. The Village finds that due to the fear or apprehension of its residents in the circumstances set out below; it has a significant governmental interest and purpose in protecting the health, safety, and well-being of its residents.

**§7.6.2 Unlawful Picketing in a Residential Zone**

It shall be unlawful for any person or group of persons to picket or to demonstrate for any purpose whatsoever when such picketing or a demonstration is focused on a specific residence in a residential zone. The foregoing shall apply to any person or persons advocating any political, religious, or other position as well as any persons or persons in opposition to any political, religious, or other position, or in support of any owner or occupant of a residence.

**§7.6.3 Unlawful Confronting of Persons in a Residential Zone**

It shall be unlawful for any person or group of persons to confront any person within a residential zone of the Village for the specific purpose of forcefully advocating or opposing political, religious, or other position or statement, without the express consent of the person or persons being so confronted. Forcefully advocating or opposing a particular position shall not include activities confined solely to handing out or delivering written material in a non- threatening manner.

#### **§7.6.4 Penalty**

(A) Violation of this ordinance shall be deemed a misdemeanor and shall be punishable as a misdemeanor pursuant to the Village Ordinances. Each separate appearance shall be deemed a separate offense. In the event any person or persons conducting a prohibited activity are ordered to disperse by an authorized law enforcement officer, failure to so disperse shall be deemed a separate offense.

(B) The Village may enforce the provisions of this ordinance through civil action, including injunctive relief, damages or other remedy available at law or equity. In any civil enforcement action, the Village shall be entitled to recover its costs and attorney fees incurred.

#### **§7.6.5 Rights Under Other Law**

This Ordinance is in addition to and is not intended to restrict or abridge the rights of any party under any other law, regulation or constitutional claim.

#### **COMPILING CLAUSE AND SEVERABILITY:**

This Ordinance shall be incorporated and compiled as part of the 2013 Codified Ordinances of the Village of Los Ranchos de Albuquerque.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Village of Los Ranchos Board of Trustees hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**EFFECTIVE DATE:**

This ordinance will become effective five days after publication as provided by law.

**PASSED, APPROVED AND ADOPTED** by the Governing Body of the Village of Los Ranchos de Albuquerque  
this \_\_\_\_ day of \_\_\_\_\_, 2013.

**APPROVED:**

[SEAL]

\_\_\_\_\_  
Larry P. Abraham, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Ward, Acting Village Clerk