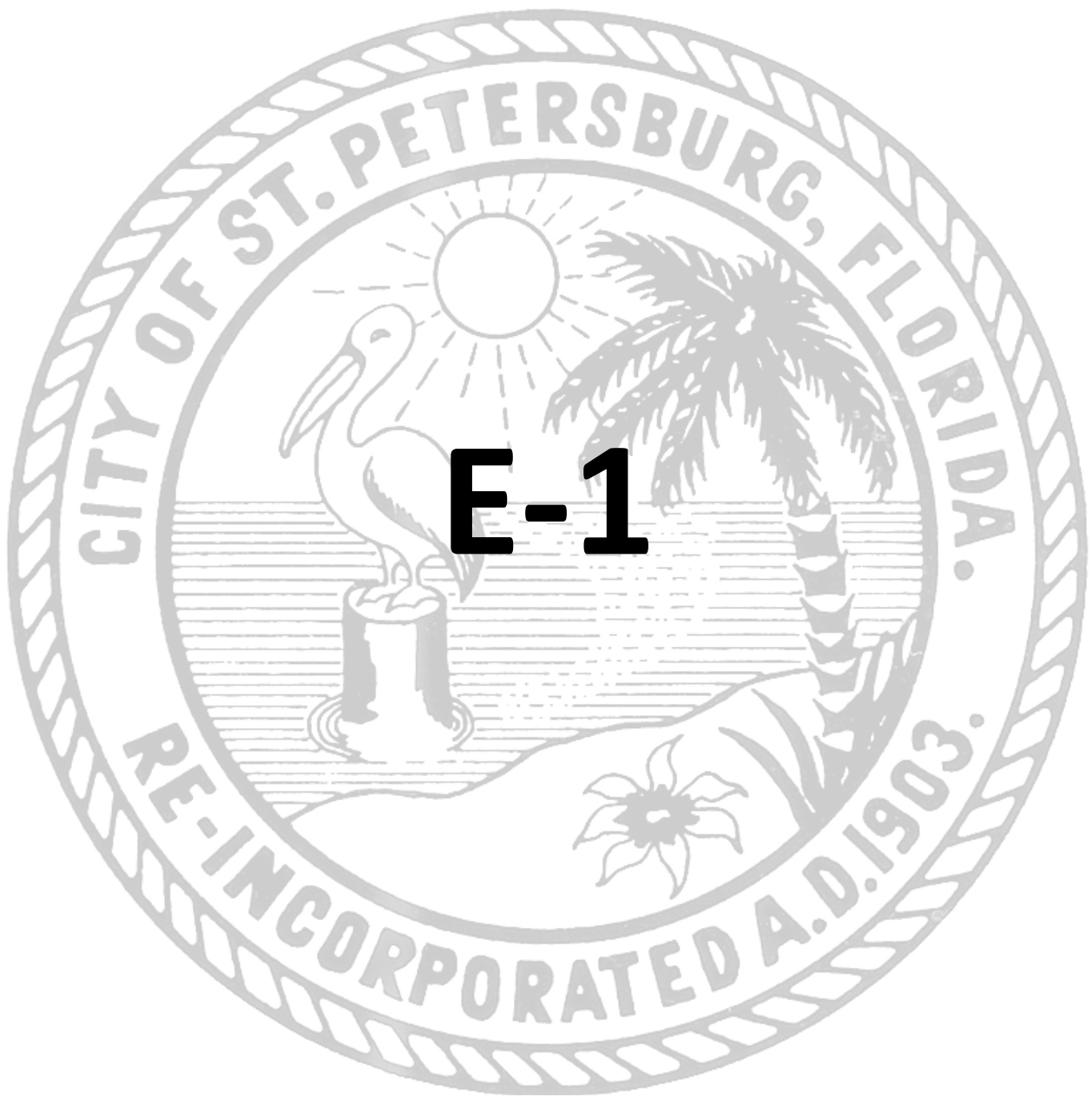


The following page(s) contain the backup material for Agenda Item: Ordinance 612-H, An ordinance amending the St. Petersburg City Code, creating a new subsection 17-160(7), restricting the hours during which soliciting, canvassing and peddling is permitted on residential property; and providing an effective date.

Please scroll down to view the backup material.



E-1



ST. PETERSBURG CITY COUNCIL

Meeting of July 24, 2025

TO: The Honorable Copley Gerdes, Chair, and Members of City Council

FROM: Devon Haggitt, Assistant City Attorney *DH*

SUBJECT: An ordinance amending the St. Petersburg City Code, creating a new subsection 17-160(7), restricting the hours during which soliciting, canvassing and peddling is permitted on residential property; and providing an effective date.

BACKGROUND:

On June 5, 2025, Council Vice-Chair Hanewicz submitted a New Business Item for the purpose of discussing an amendment to City Code which would restrict the hours during which commercial solicitation could occur at private residences within the city. This item was brought in response to complaints from residents that they were being disturbed by commercial solicitation at their residences after dark or in the early morning hours.

The Florida Supreme Court has recognized that municipalities have the authority to regulate certain business activities, including confining them to specific hours of the day, as part of their regulatory powers. Additionally, Florida statutes, such as Fla. Stat. § 497.381 and Fla. Stat. § 497.164, explicitly allow for the regulation of solicitation activities, including restrictions on the hours of solicitation, to protect individuals' privacy and prevent undue influence or harassment. These statutes emphasize the public's high expectation of privacy in their residences and authorize restrictions on solicitation unless expressly invited by the resident.

At the request of the Public Services & Infrastructure Committee, the City Attorney's Office has prepared the attached proposed ordinance to add a subsection (7) to Section 17-160, which would prohibit commercial solicitation at private residences between the hours of 7:00 p.m. or sunset, whichever is earlier, and 8:00 a.m. the following day.

RECOMMENDATION:

Administration: City staff recommends APPROVAL.

Previous City Council Action: At the Public Services & Infrastructure (PSI) Committee meeting on July 10, 2025, the Committee voted to move the attached version of the ordinance forward to first reading.

Recommended City Council Action:

- 1) CONDUCT the first reading of the attached proposed ordinance; AND
- 2) SET the second reading and public hearing for August 7, 2025.

Attachments: Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ST. PETERSBURG CITY CODE, CREATING A NEW SUBSECTION 17-160(7), RESTRICTING THE HOURS DURING WHICH SOLICITING, CANVASSING AND PEDDLING IS PERMITTED ON RESIDENTIAL PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

THE CITY OF ST. PETERSBURG DOES ORDAIN:

SECTION 1. The St. Petersburg City Code is hereby amended to add a new subsection 17-160 (7) to read as follows:

Sec. 17-160. Prohibited acts.

It shall be unlawful for any solicitor, canvasser or peddler to engage in any of the following prohibited acts:

- (1) Fail to display, upon proper demand of the prospective buyer, any law enforcement officer, or code enforcement inspector, the permits required under this section.
- (2) Fail to pay or renew a business tax certificate.
- (3) Ring the bell, knock on the door, or otherwise attempt to gain admittance, for the purpose of peddling or soliciting, at any residence, dwelling or apartment at which a sign bearing the words "No Peddlers or Solicitors," or words of similar import indicating that such persons are not wanted on said premises, is painted, affixed or otherwise exposed to public view.
- (4) Distribute, deposit, place, throw, scatter, or cast or cause the distribution, placing, throwing, scattering or casting of any handbill at any residence, dwelling or apartment at which a sign bearing the words "No Peddler or Solicitors," or words of similar import indicating that such persons are not wanted on said premises, is painted, affixed or otherwise exposed to public view. Handbill shall be as defined in chapter 20.
- (5) Fail to disclose to the prospective buyer, upon request, the name of the company, product or organization that he or she represents.
- (6) Fail to leave the premises immediately if requested to do so.
- (7) Ring the bell, knock on the door, or otherwise attempt to gain admittance, for the purpose of peddling or soliciting, at any residence, dwelling or apartment between the hours of 7:00 p.m. or sunset, whichever is earlier, and 8:00 a.m. the following day.

SECTION 2. The provisions of this ordinance shall be deemed to be severable. If any provision of this ordinance is determined unconstitutional or otherwise invalid, such determination shall not affect the validity of any other provisions of this ordinance.

SECTION 3. Coding: As used in this ordinance, language appearing in struck-through type is language to be deleted from the City Code, and underlined language is language to be added to the City Code, in the section, subsection, or other location where indicated. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise.

SECTION 4. COMPLIANCE WITH § 166.041(4), FLORIDA STATUTES. Pursuant to City Council resolution 2023-507, a business impact estimate was prepared for this ordinance and posted on the City's website no later than the date the notice of the proposed ordinance was published.

SECTION 5. In the event that this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

LEGAL:



City Attorney (designee)

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