

**AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA,  
RELATING TO PICKETING; AMENDING SECTION 43.42,  
OF THE CODE OF THE CITY OF ORLANDO, FLORIDA;  
PROVIDING FOR SEVERABILITY, CODIFICATION,  
CORRECTION OF SCRIVENER'S ERRORS, AND AN  
EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORLANDO,  
FLORIDA:**

**WHEREAS**, the City of Orlando and the United States Supreme Court, as noted in *Carey v. Brown*, 447 U.S. 455 (1980), agree that the government's interest in "protecting the well-being, tranquility, and privacy of the home is certainly of the highest order in a free and civilized society"; and

**WHEREAS**, targeted and focused picketing can disrupt the quiet enjoyment of the home by subjecting a captive audience to offensive and intrusive speech, leaving a person with no ready means to avoid the unwanted speech; and

**WHEREAS**, the City Council of the City of Orlando, Florida wishes to protect the well-being, tranquility and privacy of people within the home.

**SECTION ONE: SECTION 43.42, AMENDED.** Section 43.42, Code of the City of Orlando, Florida, is hereby amended as follows:

**Sec. 43.42. Picketing; Definitions; Where Prohibited; Exceptions.**

(1) For the purposes of this section, the following definitions shall apply:

- (a) *Picket*: The word "picket" shall mean to position oneself, or to assemble or gather, as a means of protest, or as a means of presenting or advocating a cause or grievance.
- (b) *Peaceful Picketing*: The term "peaceful picketing" shall mean any tranquil and peaceful means of presenting a cause to the public which is devoid of noise or tumult or quarrelsome demeanor, and which does not violate or disturb the public peace or private property rights.
- (c) *Residential or Dwelling Unit*: The term "~~residential~~ or dwelling-unit" shall mean any individual's home within a single or multifamily residence, to include units within an apartment or condominium complex. The term shall not include those establishments serving or catering to the transient public such as motels, hotels, or motor hotels.

(2) It ~~shall be~~ unlawful for any person or persons to picket before or about ~~any~~ the ~~residential~~ or dwelling-unit of any person.

(3) This section shall not apply to a person peacefully picketing upon property which he owns or which he is lessee, ~~nor does it prohibit the peaceful picketing of a place of employment involved in a labor dispute, including a residential or dwelling unit used as a place of business,~~ or peaceful picketing within a place commonly used for public assembly.

**SECTION TWO: SEVERABILITY.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION THREE: CODIFICATION.** The City Clerk and the City Attorney shall cause the Code of the City of Orlando, Florida, to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

**SECTION FOUR: SCRIVENER'S ERROR.** The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

**SECTION FIVE. EFFECTIVE DATE.** This ordinance takes effect immediately upon final passage.

ADVERTISED on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

READ FIRST TIME on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

READ SECOND TIME AND ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

CITY OF ORLANDO, FLORIDA

\_\_\_\_\_  
Mayor

ATTEST:

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Celeste Brown, City Clerk

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APPROVED AS TO FORM AND LEGALITY  
For the use and reliance of the  
City of Orlando, Florida, only.

\_\_\_\_\_, 2015.

\_\_\_\_\_  
City Attorney/Assistant City Attorney  
Orlando, Florida