

## TITLE 11

### MUNICIPAL OFFENSES

#### CHAPTER 13

#### AGGRESSIVE PANHANDLING PROHIBITED

##### SECTION

11-1301. Definitions.

11-1302. Prohibited Conduct.

##### **11-1301. Definitions.**

(1) "Panhandling" means any solicitation made in person upon any street, alley, sidewalk, public place or park requesting an immediate donation of money or other thing of value for oneself or another person or entity. The sale of an item for an amount far exceeding its value, under circumstances in which a reasonable person would understand that the purchase is, in substance, a donation, shall be considered panhandling for the purpose of this section. Panhandling shall not include the act of passively standing or sitting, performing music, or singing with a sign or other indication that a donation is being sought but without any vocal request other than a response to an inquiry by another person.

(2) "Aggressive panhandling" means:

a. To approach or speak to a person in such a manner as would cause a reasonable person to believe that the person is being threatened with:

1. Imminent bodily injury; or

2. The commission of a criminal act upon the person or another person, or upon property in the person's immediate possession;

b. To persist in panhandling after the person solicited has given a negative response;

c. To block, either individually or as part of a group of persons, the passage of a solicited person;

d. To touch a solicited person without the person's consent;

e. To render any service to a motor vehicle, including but not limited to any cleaning, washing, protecting, guarding or repairing of said vehicle or any portion thereof, without the prior consent of the owner, operator or occupant of such vehicle, and thereafter asking, begging or soliciting alms or payment for the performance of such service, regardless of whether such vehicle is stopped, standing or parked on a public street or upon other public or private property; or

f. To engage in conduct that would reasonably be construed as intended to intimidate, compel or force a solicited person to make a donation.

**11-1302. Prohibited Conduct.**

(1) It shall be unlawful for any person to engage in an act of panhandling when either the panhandler or the person being solicited is located in, on, or at any of the following locations:

- a. Any bus stop;
- b. Any sidewalk café;
- c. Any area within twenty-five (25) feet (in any direction) of an automatic teller machine or entrance to a bank;
- d. Any public or private school;
- e. Within ten (10) feet of a point of entry to or exit from any building open to the public, including commercial establishments; or
- f. On any private property where “No Solicitation” signs are posted.

(2) It shall be unlawful to engage in the act of panhandling on any day after sunset or before sunrise.

(3) It shall be unlawful for any person to engage in an act of aggressive panhandling. (Ord. #13-30, Jan. 2014, modified.)