

### **618.33 Aggravated Solicitation of Alms, Gifts or Loans.**

- (a) As used in this section, to “solicit alms” means to communicate an in-person request – whether through words or conduct – to another person for a gratuitous donation to the requester of money, property, or other tangible things.
- (b) It shall be unlawful for any person to solicit alms:
  - (1) On private property if the owner, tenant, or lawful occupant has asked the person not to solicit on the property or has posted a sign clearly indicating that solicitations are not welcome on the property.
  - (2) From any person who is waiting in line for entry to any building, public or private, including, but not limited to, any residence, business, or athletic facility; or
  - (3) From sunset to sunrise, except on public property if the solicitor has an official license or permit to do so or on private property if the solicitor has the express knowledge and consent and/or invitation of the owner or party in control of that property to do so;
  - (4) Within fifteen (15) feet of:
    - i. the entrance or exit from a building, public or private, including, but not limited to, any residence, business, or athletic facility without the knowledge and consent and/or invitation of the owner or party in control of that building;
    - ii. the outdoor seating area of any restaurant, bistro, café, ice cream shop, or bar;
    - iii. the entrance or exit of any public toilet facility;
    - iv. an automated teller machine, provided that when an automated teller machine is located within an automated teller machine facility, such distance shall be measured from the entrance or exit of the automated teller machine facility;
    - v. a public transportation vehicle; or
    - vi. a bus station, bus stop, or taxi stand.
- (c) It shall be unlawful for any person to solicit alms:
  - (1) *Accosting*. By approaching another person in a way that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that actually causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested; or
  - (2) *Forcing oneself upon another*. By continuing to solicit alms from someone after receiving a negative response from that person; by blocking that person’s passage; or by otherwise engaging in conduct which could reasonably be construed as intended to compel or force that person to accede to demands.
- (d) A person who violates or fails to comply with any of the provisions of this section is guilty of a Class C Municipal civil infraction and shall be subject to the civil fines set forth in Section 202.98.

- (e) This ordinance shall be interpreted and construed so as to comply with the United States Constitution and applicable laws. If any portion of this ordinance is deemed unenforceable for any reason, it shall be severed, and the remainder of the ordinance shall remain in effect to the fullest extent permissible.