

Sec. 20-110. Panhandling.

a) Definitions.

(1) *Panhandling*: Any solicitation made in person upon any street, public way, public place, or park in the city, in which a person requests an immediate donation of money or other gratuity from another person, and includes but is not limited to seeking donations.

a. By vocal appeal; and

b. Where the person being solicited receives an item of little or no monetary value in exchange for a donation, under circumstances where a reasonable person would understand that the transaction is in substance a donation.

However, panhandling shall not include the act of passively standing or sitting with a sign or other indication that a donation is being sought, without any vocal request other than in response to an inquiry by another person.

Performing music, singing or other street performance does not constitute panhandling even if the performer verbally requests money.

(2) *Aggressive panhandling*: Panhandling which is accompanied by one or more of the following:

a. Panhandling while at any time before, during or after the solicitation touching the solicited person without the solicited person's consent;

b. Panhandling a person while such person is standing in line and waiting to be admitted to a commercial establishment;

c. Panhandling while blocking the path of the person solicited or blocking the entrance to any building or vehicle;

d. Panhandling while following behind, alongside, or ahead of a person who walks away from the panhandler after being solicited;

e. Panhandling while using profane or abusive language either during the solicitation or following a refusal to make a donation, or making any statement, gesture, or other communication which would cause a reasonable person to be fearful of his safety or to feel compelled to make a donation;

f. Panhandling in a group of two or more persons.

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

(c) It shall be unlawful to engage in an act of panhandling when either the panhandler or the person being solicited is located at any of the following locations: At a bus stop, in any public transportation vehicle or public transportation facility; in a vehicle which is parked or stopped on a public street or alley; in a sidewalk cafe, or within 20 feet in any direction from an automatic teller machine or entrance to a bank.

(d) It shall be unlawful to engage in aggressive panhandling.

~~(e) Any person who shall violate any provision of this section shall be fined as provided in section 1-5 of this Code for each offense, and the circuit court may enjoin the person from committing further violations of this chapter. Each act of panhandling prohibited by this section shall constitute a separate offense.~~