

The information in this brochure has been compiled and edited for easy reference. Please refer to the below listed Municipal Codes for complete information.

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PANHANDLING INFORMATIONAL BROCHURE



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AGGRESSIVE SOLICITATION

Definitions:

Aggressive manner shall mean:

Approaching or speaking to a person, or following a person before, during or after panhandling, if that conduct is likely to cause a reasonable person to fear bodily harm to oneself or to another, damage to or loss of property, or otherwise be intimidated into giving money or other thing of value;

Or if the conduct is intended to have these effects:

Approaching an occupied vehicle by entering into a public street or private roadway when traffic is either stopped or moving, before, during or after panhandling;

Knocking on the window of, or physically reaching toward or into an occupied vehicle before, during or after panhandling;

Continuing to solicit from a person after the person has given a negative response to such panhandling;

Intentionally touching or causing physical contact with another person without that person's consent in the course of panhandling;

Intentionally blocking or interfering with the safe or free passage of a pedestrian or vehicle by any means, including causing a pedestrian or vehicle operator to take evasive action to avoid physical contact before, during or after panhandling;

Using violent or threatening gestures toward a person before, during or after panhandling;

Using profane, offensive or abusive language toward a person before, during or after panhandling;

Panhandling while under the influence of alcohol or any illegal narcotic or controlled substance; or

Closely following a person while panhandling, with the intent of asking that person for money, goods or other things of value.

Panhandling shall mean;

Panhandling shall mean asking, soliciting or begging for money or objects of value with the intention that the money or object be immediately paid. Panhandling includes using spoken, written, printed word, bodily gestures, signs or other means with the purpose of obtaining money, etc.

Public Place shall mean;

Public Place shall include, but is not limited to, any street, highway, parking lot, plaza, transportation facility, shopping center, park, playground, school or place of amusement.

For a complete definition of aggressive solicitation please refer to Fort Bragg Municipal Code 9.26.010.

Unlawful panhandling.

It is unlawful and a public nuisance for any person to:

A. Panhandle in an aggressive manner in any public place.

B. Panhandle an operator or other occupant of a motor vehicle while such vehicle is located at an intersection of any street or highway, or at a driveway; provided, however, that this paragraph shall not apply to services rendered in connection with emergency services or repairs requested by the operator or passenger of such vehicle.

C. Panhandle in any public transportation vehicle, or in any public or private parking lot or parking structure.

D. Panhandle in a restaurant, including any outdoor or indoor dining area of a restaurant, or other establishment serving food for immediate consumption, or within twenty feet of the entrance to or exit from such restaurant or other establishment serving food for immediate consumption, if the person soliciting, asking or begging remains there after being asked to leave by the owner, manager, supervisor or other authorized agent of the restaurant or other establishment.

Penalty for Violation:

Any violation of this Article shall be deemed an infraction punishable

by a fine not to exceed one hundred dollars (\$100.00) for a first offense, two hundred dollars (\$200.00) for a second offense within twelve months, and for a third (or subsequent) offense within twelve months, a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500) or imprisonment in the County jail for a period not to exceed three months or by both fine and imprisonment.

DISORDERLY CONDUCT

Loitering:

A person shall not loiter or stand in or upon any public highway, alley, sidewalk or crosswalk or other public way open for pedestrian travel or otherwise occupy any portion thereof in such a manner as unreasonably to annoy or molest any pedestrian thereon or as to obstruct or unreasonably interfere with the free passage of pedestrians.

Blocking pedestrian or vehicle passage;

It is unlawful for any person to intentionally stand, sit or lie, in, on or at any driveway, entrance or exit of any church, hall, theater, place of public assembly, store, business, plant, industry, private residence or private property so as to prevent the free passage of persons or vehicles to or from the same.

PUBLIC DRUNKENNESS

Drinking in public:

Unless otherwise provided by law, it is unlawful for any person to partake of any spirituous malt, vinous or alcoholic liquors or other alcoholic beverages in or upon any street or sidewalk, or any passageway open to public use, or in or on any park, playground or community house, or in an automobile while the automobile is on any alley, street, highway or public or private property which is open and accessible to the general public or open to public view. The City Manager or his/her designee may issue use permits in connection with organized activities.

Unlawful acts:

It is unlawful for any person in the city, while in a drunken or intoxicated condition, or while under the influence of intoxicating liquor, or narcotic drugs;

To be in or upon any street, thoroughfare, alley, sidewalk, public place, public grounds, places accessible to the public or places open or exposed to the public view; or

To be in, on or about any automobile, motorcycle, motor vehicle, street car, railroad car or other vehicle; or

To use or engage in, or be a party to offensive, disorderly, threatening, abusive or insulting language, conduct or behavior; or

To congregate with others on a public street, road, sidewalk or other public place and refuse to move on when so ordered by a peace officer in the interests of order, peace or safety; or

To shout or make any unusual or disturbing noise, or to cause any unusual or disturbing noise, either outside or inside a building at any time, to the annoyance or disturbance of any person or persons; or

To interfere with any person in any place by jostling against such person or unnecessarily crowding him; or

To station himself on any public street or in any public place or follow or accost any pedestrian for the purpose of soliciting alms, or to solicit alms on the streets or in any public place; or To loiter in or about any public toilet, to solicit any person for the purpose of committing a crime against nature or any other lewd acts; or

To make insulting remarks to any person or to annoy or accost any person or persons unknown to him or her; or

To act as a capper for any place of amusement or for any place or persons devoted to or engaged in any unlawful business, vocation or calling.