

## ORDINANCE NO. 812

### AN ORDINANCE OF THE CITY OF ANDERSON AMENDING CHAPTER 8.17 OF THE ANDERSON MUNICIPAL CODE REGULATING PANHANDLING

The City Council of the City of Anderson does hereby ordain as follows:

- **Chapter 8.17 - PANHANDLING**

**Sections:**

- **8.17.010 - Definitions.**

For the purpose of this chapter:

"Aggressive manner" means any of the following:

1. Approaching or speaking to a person, or following a person before, during or after soliciting, asking or begging, if that conduct is intended or is likely to cause a reasonable person to: (i) fear bodily harm to oneself or to another, damage to or loss of property, or (ii) otherwise be intimidated into giving money or other thing of value;
2. Intentionally touching or causing physical contact with another person or an occupied vehicle without that person's consent in the course of soliciting, asking or begging;
3. Blocking or interfering with the safe or free passage of a pedestrian or vehicle by any means, including unreasonably blocking a vehicle operator's line-of-site or causing a pedestrian or vehicle operator to take evasive action or alter course to achieve safe or free pedestrian and/or vehicle passage;
4. Using violent or threatening gestures toward a person solicited either before, during or after soliciting, asking or begging;
5. Persisting in closely following or approaching a person, after the person solicited has been solicited and informed the solicitor by words or conduct that such person does not want to be solicited or does not want to give money or any other thing of value to the solicitor; or
6. Using profane offensive/abusive language which is inherently likely to provoke an immediate violent reaction, either before, during, or after solicitation.

"Automated teller machine" means any electronic information processing device which accepts or dispenses cash in connection with a credit, deposit or convenience account.

"Automated teller machine facility" means the area comprised of one or more automated teller machines, and any adjacent space which is made available to banking customers after regular banking hours.

"Bank" means any member bank of the Federal Reserve System, and any bank, banking association, trust company, savings bank, or other banking institution organized or operated under the laws of the United States, and any bank the deposits of which are insured by the Federal Deposit Insurance Corporation.

"Check cashing business" means, any person or employee of a business duly licensed as a check seller, bill payer, or prorated pursuant to Division 3 of the California Financial Code, commencing with Section 12000.

"Credit union" means any federal credit union and any state-chartered credit union the accounts of which are insured by the administrator of the National Credit Union Administration.

"Public transportation vehicle" means any vehicle, including a trailer bus, designed, used or maintained for carrying ten or more persons, including the driver; or a passenger vehicle designed for carrying fewer than ten persons, including the driver, and used to carry passengers for hire.

"Savings and loan association" means any federal savings and loan association and any "insured institution" as defined in Section 401 of the National Housing Act, as amended, and any federal credit union as defined in Section 2 of the Federal Credit Union Act.

"Solicit, ask or beg" means and includes using the spoken, written or printed word, or bodily gestures, signs or other means with the purpose of obtaining an immediate donation of money or other thing of value or soliciting the sale of goods or services.

- **8.17.020 - Aggressive solicitations prohibited.**

No person shall solicit, ask, or beg in an aggressive manner.

- **8.17.030 - All solicitations prohibited at specific locations and/or in the following manner.**

Any person who solicits in the following manner or at the following specific locations is guilty of a misdemeanor.

- A. No person shall solicit, ask, or beg within fifty feet of any bank, savings and loan association, credit union, or cashing business during its business hours or within fifty feet of any automated teller machine or cash dispensing machine during the time it is available for customer(s) use. However, when an automated teller machine is located within an automated teller facility, such distance shall be measured from the entrance/exit of the automated teller machine facility.

- B. No person shall solicit, ask, or beg in any enclosed or partially enclosed parking lot or structure at any time from one half-hour after sunset to one half-hour before sunrise.
- C. No person shall solicit, ask, or beg in any public transportation vehicle.
- D. No person shall solicit, ask, or beg at any bus or transportation stop.

- **8.17.040 - False or misleading solicitation prohibited.**

It shall be a violation of this Code for any person(s) who knowingly makes false or misleading representation(s) intending to cause a person and/or entity to donate money or things in reliance on the false or misleading statements and/or conduct.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Anderson on November 7, 2017, and adopted at a regular meeting of the City Council of the City of Anderson on November 21, 2017, by the following vote:

AYES: Councilmembers Baugh, Neutze, Hunt, Cornick, and Mayor Browning.  
NOES: None.  
ABSTAIN: None.  
ABSENT: None.

  
Baron Browning, Mayor

ATTEST:

  
Juanita Barnett, City Clerk