

**ORDINANCE**

**#19-14**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF DUBLIN, GEORGIA, ADOPTING A NEW ORDINANCE TO REGULATE PUBLIC PANHANDLING, BEGGING, AND CHARITABLE OR POLITICAL SOLICITATION; TO SET AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.**

THE MAYOR AND COUNCIL OF THE CITY OF DUBLIN HEREBY ORDAIN and adopt the following regulatory ordinance:

**SECTION ONE:**

**There is hereby created a new Section 14-10 to Article I of Chapter 14 of the code of ordinances which shall read as follows:**

**Sec. 14-10. – Panhandling, Begging, and Charitable and Political Solicitation Regulations**

**14.10 (a) Purpose and Findings:**

The Mayor and Council do hereby find and declare that:

- (1) it is the intent of the Mayor and Council in enacting this ordinance to recognize free speech rights for all citizens while at the same time protecting the coexistent rights for all citizens to enjoy safe and convenient travel in public spaces free from intimidating conduct, threats, and harassment that stem from certain types of abusive solicitation, or that may give rise to interference with other's activities if they occur in particular settings and contexts; and
- (2) there are numerous forms of solicitation that are not in and of themselves inherently threatening or aggressive, including vocal request for a donation; carrying or displaying sign requesting donations; shaking or jingling a cup of change; and ringing a bell in compliance with the City's noise ordinance; and
- (3) there has been an increase in aggressive solicitation in the City, which threatens the security, privacy, and freedom of movement of both residents and visitors; and
- (4) the presence of solicitors in certain specific areas (such as near to or adjacent to automatic teller machines, adjacent to outside seating areas, and in public parking lots) create reasonable concerns by citizens objectively worried about their privacy, freedom of movement, and personal security; and
- (5) certain forms of solicitation impede the orderly flow of pedestrian and vehicular traffic and leads to concerns regarding traffic and public safety, particularly in congested roadways and sidewalks (as defined below to include highly traveled areas, lines to enter buildings, commercial districts with narrow sidewalks or on small traffic medians of high-speed or high-volume streets and highways); and
- (6) it is not the intent of the Mayor and Council or this ordinance to limit an individual's right to exercise free speech associated with solicitation; rather it aims to impose specific time, place, and manner restrictions on solicitation and associated conduct in certain limited circumstances; namely, limiting aggressive panhandling, panhandling at locations or times deemed particularly threatening and dangerous, and panhandling in places where people are a "captive audience" and there is a wish to avoid or reduce a threat of inescapable confrontations; and
- (7) in promulgating this ordinance, the Mayor and Council seek to impose regulations that are narrowly tailored to serve the aforementioned significant governmental interests.

**(b) Definitions**

The following terms or phrases when used within this ordinance shall have the meanings set forth below:

- (1) "Aggressive begging, panhandling, or solicitation" includes the following forms of conduct:

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