

**CITY OF BALTIMORE  
COUNCIL BILL 13-0186  
(First Reader)**

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Introduced by: Councilmembers Spector, Welch, Kraft, Reisinger

Introduced and read first time: January 28, 2013

Assigned to: Judiciary and Legislative Investigations Committee

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REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Police Department, Health Department, Mayor's Office of Homeless Services, Baltimore Development Corporation, Downtown Partnership, Greater Baltimore Committee, VISIT Baltimore

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A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Soliciting – Prohibited Places**

3 FOR the purpose of prohibiting a person from soliciting while the person is occupying or standing  
4 in or on any roadway, lane divider, or shoulder; defining certain terms; correcting, clarifying,  
5 and conforming related provisions; and generally relating to the regulation of soliciting and  
6 aggressive soliciting.

7 BY repealing and reordaining, with amendments

8 Article 19 - Police Ordinances

9 Section(s) 47-1 and 47-4

10 Baltimore City Code

11 (Edition 2000)

12 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the  
13 Laws of Baltimore City read as follows:

14 **Baltimore City Code**

15 **Article 19. Police Ordinances**

16 **Subtitle 47. Soliciting and Aggressive Soliciting**

17 **§ 47-1. Definitions.**

18 (a) *Aggressive soliciting.*

19 “Aggressive soliciting” means soliciting which is accompanied by 1 or more of the  
20 following:

21 (1) approaching, speaking to, or following a person in such a manner as would cause  
22 a reasonable person to fear bodily harm or the commission of a criminal act upon  
23 the person or upon property in the person's immediate possession;

EXPLANATION: CAPITALS indicate matter added to existing law.  
[Brackets] indicate matter deleted from existing law.

**Council Bill 13-0186**

- 1 (2) in the course of soliciting, touching another person without that person’s consent;
- 2 (3) continuously soliciting from a person or following the person after the person has
- 3 made a negative response;
- 4 (4) intentionally blocking or interfering with the safe passage of a person or a vehicle
- 5 by any means, including unreasonably causing a person to take evasive action to
- 6 avoid physical contact;
- 7 (5) using obscene or abusive language either during the course of soliciting or
- 8 following a refusal; or
- 9 (6) acting with the intent of intimidating another person into giving money or another
- 10 thing of value.

11 (B) *LANE DIVIDER*.

12 “LANE DIVIDER” MEANS ANY INTERVENING SPACE, BARRIER, OR SEPARATOR PLACED TO  
13 IMPEDE VEHICULAR TRAFFIC BETWEEN ROADWAYS.

14 (C) [(b)] *Place open to the general public*.

15 “Place open to the general public” means sidewalks, streets, alleys, driveways, parking  
16 lots and garages, parks, plazas, buildings, doorways and entrances to buildings, the  
17 grounds enclosing buildings, or the mall and/or adjacent parking areas of any shopping  
18 center to which the general public is invited for business purposes.

19 (D) *ROADWAY*.

20 “ROADWAY” MEANS THE PORTION OF ANY STREET THAT IS IMPROVED, DESIGNED, OR  
21 ORDINARILY USED FOR VEHICULAR TRAFFIC.

22 (E) *SHOULDER*.

23 “SHOULDER” MEANS THE PORTION OF A STREET CONTIGUOUS WITH THE ROADWAY FOR  
24 THE ACCOMMODATION OF STOPPED VEHICLES, FOR EMERGENCY USE, FOR USE BY BICYCLES  
25 AND MOTOR SCOOTERS, AND FOR THE LATERAL SUPPORT OF THE BASE AND SURFACE  
26 COURSES OF THE ROADWAY.

27 (F) *STREET*.

28 “STREET” MEANS THE ENTIRE WIDTH BETWEEN THE BOUNDARY LINES OF ANY STREET,  
29 HIGHWAY, OR THOROUGHFARE OF WHICH ANY PART IS USED BY THE PUBLIC FOR  
30 VEHICULAR TRAVEL.

**Council Bill 13-0186**

1 (G) [(c)] *Soliciting*.

2 (1) “Soliciting” means any act by which 1 person requests an immediate donation of  
3 money or other thing of value from another or others in person, regardless of the  
4 solicitor’s purpose or intended use of the money or other thing of value.

5 (2) The solicitation may be oral, written, or by other means of communication.

6 **§ 47-4. Soliciting in certain ways and places prohibited.**

7 It is unlawful for any person to engage in soliciting:

8 (1) within 10 feet of any automatic teller machine (ATM);

9 (2) in any public transportation vehicle or at any bus, train, light rail, or subway station or  
10 stop;

11 (3) on private property or residential property, if the owner, tenant, or occupant has asked  
12 the person not to solicit on the property or has posted a sign on the property indicating  
13 no soliciting;

14 (4) from any operator or occupant of a motor vehicle that is in traffic on a [public] street,  
15 whether in exchange for cleaning the vehicle’s windows or otherwise; [or]

16 (5) from any operator or occupant of a motor vehicle on a [public] street in exchange for  
17 blocking, occupying, or reserving a public parking space or directing the occupant to a  
18 public parking space; OR

19 (6) WHILE THE PERSON IS OCCUPYING OR STANDING IN OR ON ANY ROADWAY, LANE  
20 DIVIDER, OR SHOULDER.

21 **SECTION 2. AND BE IT FURTHER ORDAINED**, That the catchlines contained in this Ordinance  
22 are not law and may not be considered to have been enacted as a part of this or any prior  
23 Ordinance.

24 **SECTION 3. AND BE IT FURTHER ORDAINED**, That this Ordinance takes effect on the 30<sup>th</sup> day  
25 after the date it is enacted.