



Legislation Text

File #: 13-0186, **Version:** 0

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

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INTRODUCTORY*

CITY OF BALTIMORE
COUNCIL BILL

Introduced by: Councilmember Spector

A BILL ENTITLED

AN ORDINANCE concerning
Soliciting - Prohibited Places

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

BY repealing and reordaining, with amendments
Article 19 - Police Ordinances
Section(s) 47-1 and 47-4
Baltimore City Code
(Edition 2000)

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

Baltimore City Code

Article 19. Police Ordinances

Subtitle 47. Soliciting and Aggressive Soliciting

§ 47□ Definitions.

(a) Aggressive soliciting.

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

(1) approaching, speaking to, or following a person in such a manner as would cause a reasonable person to fear

bodily harm or the commission of a criminal act upon the person or upon property in the person's immediate possession;

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

(B) LANE DIVIDER.

"LANE DIVIDER" MEANS ANY INTERVENING SPACE, BARRIER, OR SEPARATOR PLACED TO IMPEDE VEHICULAR TRAFFIC BETWEEN ROADWAYS.

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

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

(D) ROADWAY.

"ROADWAY" MEANS THE PORTION OF ANY STREET THAT IS IMPROVED, DESIGNED, OR ORDINARILY USED FOR VEHICULAR TRAFFIC.

(E) SHOULDER.

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

(F) STREET.

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

(G) [(c)] Soliciting.

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

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

§ 474. Soliciting in certain ways and places prohibited.

It is unlawful for any person to engage in soliciting:

- (1) within 10 feet of any automatic teller machine (ATM);
- (2) in any public transportation vehicle or at any bus, train, light rail, or subway station or stop;
- (3) on private property or residential property, if the owner, tenant, or occupant has asked the person not to solicit on the property or has posted a sign on the property indicating no soliciting;
- (4) from any operator or occupant of a motor vehicle that is in traffic on a [public] street, whether in exchange for cleaning the vehicle's windows or otherwise; [or]
- (5) from any operator or occupant of a motor vehicle on a [public] street in exchange for blocking, occupying, or reserving a public parking space or directing the occupant to a public parking space; OR
- (6) WHILE THE PERSON IS OCCUPYING OR STANDING IN OR ON ANY ROADWAY, LANE DIVIDER, OR SHOULDER.

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

SECTION 3. AND BE IT FURTHER ORDAINED, That this Ordinance takes effect on the 30th day after the date it is enacted.

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