



# CITY OF GRAND RAPIDS

## Meeting Agenda Full Detail City Council Work Session

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Monday, September 11, 2017

4:00 PM

Conference Room 2A

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**CALL TO ORDER:** Pursuant to due notice and call thereof a Special Meeting/Worksession of the Grand Rapids City Council will be held on Monday, September 11, 2017 at 4:00 p.m. in City Hall Conference Room 2A, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

**CALL OF ROLL:** On a call of roll, the following members were present:

### Discussion Items

1. 17-0606 Discuss proposed Aggressive Panhandling Ordinance.  
**Attachments:** AGGRESSIVE PANHANDLING draft1.docx
2. 17-0652 2018 Budget Update
3. 14-0789 Review 5:00 PM Regular Meeting

**ADJOURN**



# CITY OF GRAND RAPIDS

## Legislation Details (With Text)

**File #:** 17-0606      **Version:** 1      **Name:** Discuss a proposed Aggressive Panhandling Ordinance.  
**Type:** Agenda Item      **Status:** CC Worksession  
**File created:** 8/21/2017      **In control:** City Council Work Session  
**On agenda:** 9/11/2017      **Final action:**  
**Title:** Discuss proposed Aggressive Panhandling Ordinance.  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** [AGGRESSIVE PANHANDLING draft1.pdf](#)

Date	Ver.	Action By	Action	Result
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Discuss proposed Aggressive Panhandling Ordinance.

**Background Information:**

Presently Grand Rapids doesn't have a panhandling ordinance. We have seen a significant increase lately in not only panhandling but aggressive panhandling in our city. We would like to discuss with the Council about proposing an aggressive panhandling ordinance. Please see attachment for a draft of this ordinance.

**Requested City Council Action**

Discuss proposed Aggressive Panhandling Ordinance.

## AGGRESSIVE PANHANDLING

### A. Purpose:

The purpose of this chapter is to protect the public safety, health and welfare by balancing the rights of those who seek to panhandle with the rights of others to be free of intimidation, fear, harassment or threats upon their personal safety as they travel upon the City streets and sidewalks.

Panhandlers may passively ask for money or hold a sign. This ordinance is not directed towards such protected speech and is not intended to limit any person from exercising his or her Constitutional right to solicit funds, picket, protest or engage in other Constitutionally protected activity. It is not intended to limit individuals or groups from soliciting funds for charitable non-profit organizations that benefit the community.

Panhandlers that are much more aggressive in seeking money or assistance by making loud and repeated demands, by touching or following the solicited person or by panhandling in places that are particularly intimidating such as near an Automated Teller Machine, near a restroom, on a public bus, on a sidewalk café or near a person's car is a public safety concern. Under these circumstances, persons approached by panhandlers asking for money, objects or other things of value are particularly vulnerable to real, apparent or perceived coercion, fear and intimidation when the request is accompanied by aggressive behavior or in a captive audience setting. This is Aggressive Panhandling. This ordinance is directed towards Aggressive Panhandling only.

Aggressive Panhandling is disturbing and disruptive to residents of and visitors to the City of Grand Rapids and contributes to the loss of access to and enjoyment of public places out of a sense of fear, intimidation and disorder. The City of Grand Rapids has a compelling governmental interest in imposing certain reasonable time, place and manner regulations whenever potential First Amendment activities, such as panhandling, occur on streets, highways, sidewalks, plazas and other public venues within the city.

### B. Definitions:

1. **Aggressive Panhandling** means Panhandling that occurs in any of the following situations or locations:
  - a. The panhandler intentionally touches or causes physical contact with the solicited person without the solicited person's consent;
  - b. The panhandler repeats solicitation when the solicited person has refused an immediate prior solicitation made at that location;
  - c. The panhandler blocks the path of the solicited person;

- d. The panhandler follows behind, alongside or ahead of the solicited person during or after the panhandling request with the intent to intimidate or continue the solicitation;
  - e. The panhandler speaks profane or abusive language or uses an obscene gesture at the solicited person immediately before, during or after the panhandling event; or
  - f. During the panhandling event, the panhandler makes any statement other than the solicitation or acts in any manner which would cause a reasonable person to feel harassed, intimidated or compelled to make a donation;
  - g. The panhandler is within fifteen feet of the entrance to a financial institution;
  - h. The panhandler is within fifteen feet of a public restroom;
  - i. The panhandler is in a public transportation vehicle or public transportation facility, including a bus stop or taxi stand;
  - j. The panhandler is within 15 feet of a sidewalk café, vending cart or outdoor dining area;
  - k. The panhandler approaches a vehicle which is traveling, parked or stopped on a public street;
  - l. The panhandler approaches a person in line waiting to be admitted to a commercial or government establishment.
2. **Automated Teller Machine** means a device linked to a financial institution's account records, which is able to carry out transactions including, but not limited to, account transfers, deposits, cash withdrawals and balance inquiries.
3. **Panhandler** means a person who engages in panhandling.
4. **Panhandling or Panhandling Event** means any solicitation made in person upon any street, public place, or park in which a person requests an immediate donation of money or other gratuity by words, bodily gestures or signs, when approaching or stopping another person. Panhandling or Panhandling event includes the act of soliciting a donation by vocal appeal or by music, singing or other street performance, as well as where the person being solicited receives an item of little or no monetary value in exchange for a donation under circumstances where a reasonable person would understand that the transaction is in substance a donation. Panhandling or Panhandling Event does not include the act of passively standing, sitting or performing music, singing or other street performance with a

sign or other indication that a donation is being sought without any vocal request other than a response to an inquiry by another person.

5. **Sidewalk Café** means any establishment with outside seating that sells food or drink.
6. **Solicited Person** means any person who receives a solicitation under circumstances that constitute Panhandling.
7. **Vending Cart** means a temporary, transient, mobile structure upon public property, including streets or sidewalks in which a person is engaged in selling or offering food, beverage or merchandise.

**C. Prohibition:**

No person shall engage in Aggressive Panhandling.

**D. Penalty:**

Any person who violates this chapter may be prosecuted for a misdemeanor offense.



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GRAND RAPIDS  
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## Legislation Details (With Text)

**File #:** 17-0652      **Version:** 1      **Name:**

**Type:** Agenda Item      **Status:** CC Worksession

**File created:** 9/6/2017      **In control:** City Council Work Session

**On agenda:** 9/11/2017      **Final action:**

**Title:** 2018 Budget Update

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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2018 Budget Update