

Code Ordinance

By: Mayor Verne Rupright
Introduced: June 9, 2014
Public Hearing: June 23, 2014
Amended: June 23, 2014
Adopted: June 23, 2014

Vote: Buswell, Harris, O'Barr, Sullivan-Leonard, Wall and Wilson in favor

**City of Wasilla
Ordinance Serial No. 14-30(AM)**

An ordinance of the Wasilla City Council adopting Wasilla Municipal Code 9.32, in regard to Panhandling.

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the city code.

Section 2. Adoption of chapter. WMC 9.32, Panhandling, is hereby adopted to read as follows:

CHAPTER 9.32 PANHANDLING.

9.32.010 Definitions.

When used in this chapter, the following words and phrases shall have the means set forth in this section:

Panhandling. Any solicitation made in person upon any street, public place or park in the city, in which a person requests an immediate donation of money or other gratuity from another person, and includes but is not limited to:

- (1) Seeking donations by vocal appeal or for music, singing, or other street performance;
- (2) Solicitation of a ride or other favor or engage in other conduct in a manner which unduly distracts a driver's attention; or
- (3) Seeking donations 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 shall not include the act of passively standing or sitting nor 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 in response to an inquiry by another person.

9.32.020 Prohibited Areas.

It shall be unlawful to engage in an act of panhandling when either the panhandler or the person being solicited is located at any of the following locations: at a bus stop; in any public transportation vehicle or public transportation facility; in a vehicle which is parked or stopped on a public street or alley; in a sidewalk cafe; or within 20 feet in any direction from an automatic teller machine or entrance to a bank.

9.32.030 Restrictions.

(A) It shall be unlawful to engage in an act of panhandling in an aggressive manner as follows:

(1) Touching the solicited person without the solicited person's consent;

(2) Panhandling a person while such person is standing in line and waiting to be admitted to a commercial or public establishment without the property owner's permission;

(3) Blocking the path of a person being solicited, or the entrance to any building or vehicle;

(4) Persisting in closely following or approaching a person, after the person solicited has 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;

(5) Using profane or abusive language, either during the solicitation or following a refusal to make a donation, or making any statement, gesture, or other communication which would cause a reasonable person to be fearful or coerced to make a donation; or

(6) Panhandling in a group of two or more persons.

9.32.040 Remedies and Penalties.


Remedies and penalties for violations of this chapter are as provided in Chapter 1.20.

Section 3. Amendment of subsection. WMC 1.20.030, Disposition of Scheduled Offenses—Fine Schedule, is hereby amended to add a fine for panhandling violations as follows:

Code Section	Description of Offense	Fine
WMC 9.32.020 - .030	Panhandling – 1 st Offense	Warning
WMC 9.32.020 - .030	Panhandling – 2 nd Offense	\$100 or 8 hours of community service
WMC 9.32.020 - .030	Panhandling – 3 rd Offense	\$200 or 16 hours of community service

Section 4. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council on June 23, 2014.


VERNE E. RUPRIGHT, Mayor

ATTEST:



KRISTIE SMITHERS, MMC, City Clerk

[SEAL]

