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APPROVED

Date: 8-17-04

Submitted by: Assemblymembers Sullivan,
Jennings, Tesche, Shamberg, Traini

Prepared by: Department of Assembly

For reading: July 20, 2004

**ANCHORAGE, ALASKA
AO NO. 2004-109**

**AN ORDINANCE OF THE ANCHORAGE MUNICIPAL ASSEMBLY AMENDING
CHAPTER 8.75, VIOLATIONS, TO ENACT A NEW SECTION 8.75.170, TO PROHIBIT
AGGRESSIVE PANHANDLING AND PANHANDLING AT VARIOUS LOCATIONS,
AND TO ESTABLISH AS A PENALTY A FINE, COMPLETION OF COMMUNITY
SERVICE, OR REFERRAL TO AN ALCOHOL, DRUG, OR OTHER APPROPRIATE
REHABILITATION PROGRAM.**

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 8.75.160 is hereby enacted to read as follows:

8.75.170 Prohibited Panhandling.

A. As used in this section, panhandling means 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 seeking donations:

1. By vocal appeal or for music, singing, or other street performance; and
2. 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.

However, 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.

B. 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

1 any public transportation vehicle or public transportation facility; in a vehicle which is
2 parked or stopped on a public street or alley; in a sidewalk café; or within twenty (20)
3 feet in any direction from an automatic teller machine or entrance to a bank.
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5 C. It shall be unlawful to engage in an act of panhandling in an aggressive manner as
6 set forth in 1-6 of this subsection:
7

8 1. Touching the solicited person without the solicited person's consent;
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10 2. Panhandling a person while such person is standing in line and waiting to
11 be admitted to a commercial or public establishment;
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13 3. Blocking the path of a person being solicited, or the entrance to any
14 building or vehicle;
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16 4. Persisting in closely following or approaching a person, after the person
17 solicited has informed the solicitor by words or conduct that such person does not
18 want to be solicited or does not want to give money or any other thing of value to
19 the solicitor;
20

21 5. Using profane or abusive language, either during the solicitation or
22 following a refusal to make a donation, or making any statement, gesture, or other
23 communication which would cause a reasonable person to be fearful or coerced to
24 make a donation; or
25

26 6. Panhandling in a group of two (2) or more persons.
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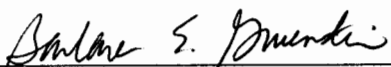
28 D. *Penalty.* A fine of no more than \$300.00 shall be imposed for any act of
29 panhandling prohibited by this section. First offense upon conviction shall be no less
30 than fifty dollars (\$50.00) or 8 hours of community service; second offense upon
31 conviction shall be no less than \$100.00 or 16 hours of community service; and third
32 offense upon conviction shall be no less than \$300.00 or proof of completion of an
33 alcohol, drug, or other appropriate rehabilitation program. Any fees paid toward
34 rehabilitation treatment may offset any fines paid for first or subsequent offenses.
35

36 **Section 2.** This ordinance shall become effective immediately upon its passage and approval
37 by the Assembly.
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2 PASSED AND APPROVED by the Anchorage Assembly this 17th day of
3 August, 2004.
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7 Chair

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10 ATTEST:

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15 Municipal Clerk

Content Information**Content ID :** 002015

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Author: gray-jackson**Initiating Dept:** Assembly**Prepared by:** Assembly Counsel**Date Prepared:** 7/20/04 3:52 PM**Director Name:** Dick Traini, Assembly Chair**Assembly****Meeting Date** 7/20/04**MM/DD/YY:****Public Hearing****Date**

8/17/04

MM/DD/YY:**Workflow History**

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LAID ON THE TABLE ITEM - *CONSENT AGENDA* - INTRODUCTION

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