## ORDINANCE NO.

## AN ORDINANCE AMENDING SECTION 9-4-13 OF THE CITY CODE RELATING TO PROHIBITED SOLICITATIONS.

## BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

**PART 1.** Subsection (A) of City Code Section 9-4-13 (*Solicitation Prohibited*) is amended to read as follows:

## (A) The Council finds that:

- (1) Aggressive solicitation is disturbing and disruptive to residents and businesses and contributes to the loss of access to and enjoyment of <u>certain</u> publicly <u>accessible</u> places and to a sense of fear, intimidation and disorder.
- (2) Aggressive solicitation includes approaching or following pedestrians, repetitive soliciting despite refusals, the use of abusive or profane language to cause fear and intimidation, unwanted physical contact, or the intentional blocking of pedestrian and vehicular traffic.
- (3) The presence of individuals who <u>aggressively</u> solicit money from persons at or near banks, automated teller machines, public transportation facilities, <u>sidewalk cafés</u>, and [<u>crosswalks</u>] in <u>publicly accessible areas that are not designated as open forums</u> is especially troublesome because of the enhanced fear of crime in a place that is confined, difficult to avoid, or where a person might find it necessary to wait.
- (4) This section is intended to protect citizens from the fear and intimidation [accompanying] arising from certain kinds of aggressive conduct that may accompany solicitation, and not to limit a constitutionally protected activity.
- **PART 2.** Subsection (B)(7) of City Code Section 9-4-13 (*Solicitation Prohibited*) is amended to read as follows:
  - (7) PUBLIC<u>LY ACCESSIBLE AREA</u> means an [outdoor] area to which the public has access and includes, but is not limited to, a [sidewalk, street, highway, park,] parking lot, parking garage, [alleyway, pedestrian way,] or the common area of a school, hospital, apartment house, office building,

1	PASSED AND APPROVED	
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4	, 2018 §	
5		Steve Adler
6		Mayor
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8	<b>APPROVED: ATTEST:</b>	
9	Anne L. Morgan	Jannette S. Goodall
10	City Attorney	City Clerk
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