
Sec. 21-6. Prohibited acts: Aggressive Solicitation

A. Definitions: The following words and phrases used in this section shall have the following meanings unless a different meaning clearly appears from the context:

AGGRESSIVE MANNER: To:

1. Intentionally make any nonconsensual physical contact with another person in the course of a solicitation; or
2. Approach or follow the person being solicited in a manner that is intended to cause a reasonable person to be intimidated into responding affirmatively to the solicitation for fear of imminent bodily harm to oneself or another; or damage to or loss of property; or
3. Continuing to solicit within five feet (5') of the person being solicited after the person has given or expressed a negative response, if continuing the solicitation is intended to cause a reasonable person to be intimidated into responding affirmatively to the solicitation for fear of imminent bodily harm to oneself or another, or damage to or loss of property; or
4. Intentionally obstruct the safe or free passage of the person being solicited, causing the person, including a person operating a vehicle, to move from his or her intended path to avoid reasonably imminent nonconsensual physical contact with the person making the solicitation; or
5. Make any threatening statement or gesture immediately before or during the solicitation or after a refusal to make a donation intended to cause a reasonable person to be intimidated into responding affirmatively to the solicitation for fear of imminent bodily harm to oneself or another, or damage to or loss of property.

SOLICIT OR SOLICITATION: To request, ask or beg, whether by words, bodily gestures, signs or other means, for an immediate performance, donation of money or other thing of value, including the purchase of an item or service for an amount far exceeding its value, under circumstances where a reasonable person would understand that the purchase is a donation.

B. Prohibited Acts; Penalty: It shall be unlawful for a person to solicit in an aggressive manner. Any person violating this section may be subject to prosecution for a Class C misdemeanor and a fine not to exceed \$500.

~~It shall be unlawful for any person to solicit another in a public place at the times, locations and in the manner specified below:~~

- ~~(1) Within fifty (50) feet of any automated teller machine not enclosed within a building.~~

(Ord. No. 2004-105, § 1, 4-6-04)