

- **Sec. 94-116. - Aggressive begging.**

(a)

It shall be unlawful for any person to aggressively beg on public places within the city.

(b)

It shall be unlawful for any person to aggressively beg on private property if asked to leave by the owner or owner's representative, or if there is a sign posted on the private property that prohibits, in some manner, aggressive begging or solicitation.

(c)

The following factors, while not dispositive of an actor's intent, shall be deemed admissible probative evidence, and may be considered in determining whether the actor intended to aggressively beg in violation of this section:

(1)

That the actor touches the person(s) solicited without consent or express invitation to do so;

(2)

That the actor follows the person(s) solicited without express invitation to do so and with the specific intent and actual effect of prolonging the solicitation encounter;

(3)

That the actor directs profane or abusive language or fighting words towards persons refusing the solicitation; or

(4)

That the actor threatens the person(s) solicited with violence either verbally or through commonly understood gestures.

(Ord. No. 98-81, § 3, 11-30-98; [Ord. No. 2015-61](#), § 4, 12-7-2015)

**Editor's note**— [Ord. No. 2015-61](#), § 4, adopted Dec. 7, 2015, renumbered former § 94-119 as [§ 94-116](#) and amended its catchline from "Loitering in Colfax Corridor, aggressive begging" to read as herein set out.

- **Sec. 94-117. - Solicitation on or near street or highway.**

(a)

The purpose of this section is to prevent dangers to persons and property, to prevent delays, and to avoid interference with the traffic flow. Streets or highways that have center medians often are designed to deal with specific traffic flow problems. Any delay [or] distraction may interfere with traffic planning, flow, and safety. Sometimes persons stand near intersections and near traffic lights to contact drivers or passengers in cars that are passing or that are stopped temporarily due to traffic lights.

(b)

It shall be unlawful for any person to solicit or attempt to solicit employment, business, contributions, or sales of any kind or collect monies for such from the occupant of any vehicle traveling upon any street or highway when:

(1)

Such solicitation or collection causes the person performing the activity to enter onto the traveled portion of a street or highway.

(2)

Such solicitation or collection causes the person performing the activity to be located upon any median area, whether raised or on an even plane with the street or highway, which separates traffic lanes for vehicular travel.

(3)

Such solicitation or collection causes the person performing the activity to locate him or herself such that vehicles cannot move into a legal parking area to safely conduct the transaction.

(c)

For purposes of this section, the traveled portion of the street or highway shall mean that portion of any street or highway located within the city which can be used by moving motor vehicle traffic, including the gutter on the edge of any street or highway.

(Code 1979, § 37-124; [Ord. No. 2015-61](#), § 5, 12-7-2015)

**Editor's note**— [Ord. No. 2015-61](#), § 5, adopted Dec. 7, 2015, renumbered and amended former [§ 134-360](#) as [§ 94-116](#).