

**AN ORDINANCE REGARDING THE REGULATION OF
BEGGING, AGGRESSIVE PANHANDLING,
AND SOLICITING CONTRIBUTIONS**

BE IT ORDAINED by the Council of the Town of Wilson's Mills as follows:

Section 1. Purpose

The purpose of this ordinance is to protect the citizens and passersby within the Town of Wilson's Mills from aggravation and intimidation resulting from the unwanted begging, panhandling, and/or solicitation of any individuals.

Section 2. Definitions

For the purpose of this ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

- A. To *beg, panhandle, or solicit contributions* shall be defined to include, without limitation, the spoken, written, or printed word or such other acts as are conducted in furtherance of the purpose of obtaining contributions;
- B. *Accosting another person* shall be defined as approaching or speaking to someone in such a manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act or damage to property in his immediate possession;
- C. *Intimidate another person* shall be defined as acting in such a way as would cause a reasonable person to fear bodily harm and therefore to do something he or she would not otherwise have done;
- D. *Forcing one's self upon the company of another person* shall be defined as:
 - (i) Continuing to request or solicit contributions in close proximity to the person addressed after that person has responded negatively;
 - (ii) Blocking the passage of the person addressed; or
 - (iii) Otherwise engaging in conduct which reasonably could be understood as intended to force a person to accede to demands.
- E. *Public place* shall be defined to include streets, highways, and roadways (including the shoulders and medians), sidewalks, alleys, and other public property, as well as town-owned and town-controlled property and private property open to the public unless permission to solicit has been obtained from the town or from the property owner or other person in authority.
- F. *Vocal appeal* shall be defined as begging, panhandling, or solicitation of contributions by spoken word or other verbal request. This shall not include the act of performing music with a sign or other indication that a contribution is being sought, without any vocal request other than in response to an inquiry.

G. *Direct written appeal* shall be defined as begging, panhandling, or solicitation by handing to a person or attempting to hand to a person a written solicitation for immediate contributions.

H. *Nighttime* shall be defined as the time from dusk to dawn.

Section 3. Offenses

The following offenses constitute a violation of this ordinance:

- A. No person shall beg, panhandle, or solicit contributions in a public place in a manner so as to intimidate another person or by accosting another person, or by forcing oneself upon the company of another person.
- B. No person shall beg, panhandle, or solicit contributions from another person within fifty (50) feet of an entrance or exit of any bank or financial institution or within fifty (50) feet of any automated teller machine.
- C. No person shall beg, panhandle, or solicit contributions in any public transportation vehicle owned or operated by the Town of Wilson's Mills or at any station for such vehicle.
- D. No person shall beg, panhandle, or solicit contributions while sitting or standing on a roadway or the shoulder or median of a roadway.
- E. No person shall beg, panhandle, or solicit contributions in a public place by vocal appeal or direct written appeal during nighttime.

Section 4. Penalty

Violation of this section shall constitute a misdemeanor, pursuant to G.S. 14-4(b) and shall subject the violator to a fine of not more than fifty dollars (\$50.00) or imprisonment for not more than seven (7) days.

Section 5. Effective Date

This ordinance shall become effective upon adoption.

Duly adopted this the 9th day of October 2006

PETER H. WILSON, Mayor

ATTEST:

LEIGHANNA T. WORLEY, Town Clerk