

Article 2: Police — Police Regulations — Offenses Against Government

Division 40: Aggressive Solicitation

*(“Aggressive Solicitation”
added 10–25–1993 by O–17998 N.S.)*

§52.4001 Acts Prohibited

It is unlawful for any person on the streets, sidewalks, or other places open to the public, whether publicly or privately owned, to aggressively coerce, threaten, hound, harass, or intimidate another person for the purpose of soliciting money or goods.
(“Acts Prohibited” added 10–25–1993 by O–17998 N.S.)

§52.4002 Aggressive Conduct

For purposes of this Division, a person “aggressively coerces, threatens, hounds, harasses or intimidates another person” when:

- (a) The solicitor’s conduct would cause a reasonable person in the position of the solicitee to fear for his or her safety; or
- (b) The solicitor intentionally blocks the path of the solicitee; or
- (c) The solicitor persists in following the solicitee closely, and continues to demand money or other thing of value after the solicitee has rejected the solicitation by words or conduct.

(“Aggressive Conduct” added 10–25–1993 by O–17998 N.S.)

§52.4003 Reasonable Fear for Safety

For purposes of this Division, the following facts, among others, are relevant in deciding whether a reasonable person would have cause to fear for his or her safety:

- (a) the solicitor’s making physical contact with the solicitee; or
- (b) the proximity of the solicitor to the solicitee; or
- (c) the duration of the solicitation; or

- (d) the solicitor's making threatening gestures or other threatening conduct, including closely following the solicitee.
(*"Reasonable Fear for Safety" added 10-25-1993 by O-17998 N.S.*)

§52.4004 Definitions

For purposes of this Division:

"Aggressively" means behaving in a hostile manner.

"Coerce" means to force or bring about by force or threat.

"Harass" means to irritate or torment persistently.

"Hound" means to pursue relentlessly and tenaciously.

"Intentionally block" means to walk, stand, sit, lie, or place an object in such a manner as to block passage by another person or a vehicle, or to require another person or driver of a vehicle to take evasive action to avoid physical contact.

"Intimidate" means to frighten into submission or obedience.

"Solicitor" means a person who asks for money or goods as a charity, whether by words, bodily gestures, signs or other means.

"Threaten" means to express an intention to inflict evil, injury or damage.
(*"Definitions" added 10-25-1993 by O-17998 N.S.*)

§52.4005 Demand for Services

This Division is not intended to proscribe any demand for payment for services rendered or goods delivered.
(*"Demand for Services" added 10-25-1993 by O-17998 N.S.*)

§52.4006 Free Speech

This Division is not intended to restrict the exercise of protected free speech.
(*"Free Speech" added 10-25-1993 by O-17998 N.S.*)