

Panhandling, Loitering, and Soliciting

Defining the Problem, Our Response, and Recommendations

LOCATING THE PROBLEM

- Quick Trip
- On the street (City-wide)
- Downtown Corridor (business fronts, sidewalks, public spaces)
- At a park
- Private home / door-to-door

Defining the Terms

Panhandling:

- The act of asking for money, donations, or items from the public.
- Can be passive (sign-holding) or aggressive (blocking passage, repeated requests, intimidation).

Loitering

- Remaining in a public place without a clear lawful purpose.
- May involve lingering in an area to panhandle or engage in other unwanted behaviors.
- Often associated with repeated complaints from businesses or residents.

Key Difference:

- Panhandling is a specific type of expressive conduct; loitering is defined by the absence of purpose and potential disruption.
- Different legal standards apply to each when crafting or enforcing ordinances.

Regulations We Have

- Peddlers' / Solicitors Ordinance (Chapter 20)
- Harassment (Section 17-57)
- Disturbance of Public Peace (Section 17-112)

Regulations We May Need

- Panhandling Ordinance
- Loitering Ordinance

Why New Regulations?

- Current ordinances do not address aggressive panhandling or loitering hotspots within the City.
- Balances First Amendment rights with community safety.

Court & Legal Issues

- Reed v. Town of Gilbert: strict scrutiny for restrictions on speech
- Must establish compelling governmental interest
- Council must make clear findings (e.g., Downtown impact)
- Civilian witness/complainant needed for enforcement

Downtown Corridor Focus

- High pedestrian traffic; unique economic and cultural hub
- Businesses report repeat aggressive panhandling
- Impacts visitors, commerce, and public perception
- May require clear zones and signage to support enforcement

Recommendations

- Adopt narrowly tailored Panhandling and Loitering ordinances.
- Include Downtown Corridor-specific provisions.
- Engage with businesses, residents, and community groups.
- Develop clear signage and maps for restricted zones, if applicable.
- Monitor effectiveness and adjust ordinances as needed.

Next Steps

- Circulate ordinance drafts for review.
- Prepare findings and legal justification for Council action.
- Communicate clear enforcement guidelines to businesses and residents.

Questions? Comments? Suggestions?

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