

**AN ORDINANCE TO ADD REGULATIONS TO THE
TOWN OF HUNTERSVILLE CODE OF ORDINANCES,
TITLE IX, GENERAL REGULATIONS
CHAPTER 95: SOLICITATION,
PANHANDLING AND BEGGING**

Section 1. Be it ordained by the Board of Commissioners of the Town of Huntersville that the Code of Ordinance is hereby amended, by adding the following:

§95.20 Panhandling and begging regulated.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Accosting means 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 upon his or her person, or upon property in his or her immediate possession.

After dark means from one half hour after sunset until one half hour before sunrise. The times of sunset and sunrise will be established by the times listed in The Charlotte Observer or another publication of similar distribution.

Beg, solicit or panhandle includes, without limitation, use of the spoken, written, or printed word, or other acts as are conducted in the furtherance of the purpose of immediately collecting contributions for the use of oneself or others. As used in this ordinance, the word "solicit," and its forms, includes begging and panhandling.

Financial institution means a bank, trust company, savings and loan association, credit union, check-cashing business or other entity principally engaged in the business of lending money or receiving or soliciting money on deposit.

Forcing oneself upon the company of another means:

(1) Continuing to solicit in close proximity to the person addressed after the person to whom the solicitation is directed has made a negative response, either verbally, by physical sign, by attempting to leave the presence of the person soliciting, or by other negative indication;

(2) Blocking the passage of the person solicited; or

(3) Otherwise engaging in conduct that could reasonably be construed as intending to compel or force a person to accede to a solicitation.

(b) Prohibited acts. It shall be unlawful for any person to beg, solicit or panhandle on a public sidewalk, public right of way or within a public park owned by the town:

(1) By accosting another, or by forcing oneself upon the company of another;

(2) Within 20 feet of the entrance to any financial institution or any automated teller machine, regardless of whether or not such automated teller machine is located at or near a financial institution;

(3) Within 20 feet of any outdoor dining area or outdoor merchandise area, provided such areas are in active use at the time;

(4) Within 20 feet of any transit stop or taxi stand;

(5) While the person being solicited is standing in line waiting to be admitted to a commercial establishment;

(6) While under the influence of alcohol, illegal drug or prescription medication unless prescribed by a licensed physician.

(7) By touching the person being solicited without that person's consent; or

(8) After dark by means of verbal communication.

(c) Public transportation vehicle. It shall be unlawful for any person to beg, solicit or panhandle on a public transportation vehicle.

(d) Penalty. Any person who violates any of the provisions of this section shall be guilty of a misdemeanor as provided in G.S. 14-4 and, upon conviction, shall be subject to a maximum fine of \$500.00, or imprisonment, or both.

Section 2. That this Ordinance shall become effective upon approval.

APPROVED AS TO FORM:

Robert B. Blythe, Town Attorney