

**CITY COMMISSION
CITY OF MOUNT PLEASANT
ORDINANCE NO. 1007**

**AN ORDINANCE TO AMEND SECTION 131.01 AND ADD NEW SECTIONS 131.14
AND 131.15 OF THE CODE OF ORDINANCES FOR THE CITY OF MOUNT
PLEASANT TO UPDATE REGULATIONS OF OFFENSES AFFECTING THE PUBLIC
PEACE**

It is Hereby Ordained by the People of the City of Mount Pleasant:

Section 1. Amendment. Section 131.01 of the Code of Ordinances for the City of Mount Pleasant is amended to read as follows:

§ 131.01 DISORDERLY CONDUCT.

(A) *Prohibited Conduct*. It shall be unlawful for any person to:

- (1) Engage in prostitution or solicit or accost any person for the purpose of inducing the commission of prostitution.
- (2) Engage in window peeping.
- (3) While intoxicated in a public place, engage in conduct that causes a public disturbance or endangers oneself or others.
- (4) Make threatening, abusive, insulting, or sex-related comments or gestures to a specific person or persons in a manner that intimidates, offends, or otherwise provokes a reaction of fear, anger, or apprehension in such person or persons, or is intended to cause such reactions.
- (5) Attend, frequent, operate or be an occupant of any place where prostitution, gambling, the illegal sale or use of alcoholic beverages, drugs or any other illegal business or occupation is permitted or conducted.
- (6) Solicit employment of legal services or services of sureties upon criminal recognizance in or about a police station, police headquarters building, county jail, hospital, court building, or other public building.
- (7) Unnecessarily interfere with the passage of others through a public place.
- (8) Urinate or defecate on or about any public place outside of an appropriate sanitary facility.

(B) *Public Place Defined*. For purposes of this chapter, the term "public place" means any street, sidewalk, alley, park, parking lot, public building, or any other property, public or private, open for use by the general public

Section 2. Addition. Section 131.14 is added to Code of Ordinances for the City of Mount Pleasant to read as follows:

§ 131.14. DANGEROUS AND OFFENSIVE INTERACTIONS IN PUBLIC PLACES.

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

- (1) *Accost* means to approach or speak to a person in such a manner as would cause a reasonable person to apprehension for his or her personal safety, of imminent bodily harm or of the commission of a criminal act upon his or her person, or upon property in his or her immediate possession.
- (2) *Display a sign* means to hold, affix to oneself, or stand within 3 feet of an object conveying meaning through words or images. Wearing an item of clothing with words or images does not qualify as displaying a sign for purposes of this section.

(3) *Force oneself upon the company of another* means, after engaging or attempting to engage a person in conversation in a public place: (a) blocking the passage of the person addressed; (b) pursuing and continuing to address the person for at least 10 feet as the person attempts to walk away; or (c) otherwise engaging in conduct which could reasonably be construed as intended to compel or force a person to accede to a request or demand.

(4) *Public place* shall have the same meaning as provided in Section 13.01.

(B) *Violations*. It shall be a violation of this ordinance for any person to:

(1) Accost another;

(2) Force oneself upon the company of another;

(3) Enter onto the paved traveled portion of the roadway to address, seek payment or donation from, or perform services for a person in a motor vehicle that is in traffic or stopped at a traffic light; or

(4) Stand, sit, or otherwise remain within 50 feet of the intersection of 2 roadways while displaying a sign other than an official traffic sign authorized by a governmental unit with jurisdiction over the roadway.

§ 131.15. AGGRESSIVE AND DECEPTIVE SOLICITATION.

(A) *Purpose*. The purpose of this section is to deter aggressive and deceptive solicitation techniques designed to take advantage of citizens in places where they are particularly vulnerable, or through false statements designed to maximize the solicitor's profit. Specifically, it is the purpose of this section to:

(1) Prevent solicitors from targeting individuals where the individual cannot easily leave;

(2) Prevent solicitors from targeting individuals where engaged in obtaining or exchanging money (such as an automated teller machine);

(3) Prevent solicitors from collecting donations based on lies; and

(4) Protect the rights of property owners.

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

(1) *Misleading conduct* means knowingly making a false statement or visual representation or intentionally omitting information from a statement in a way that causes the statement to be misleading. Misleading conduct includes, but is not limited to, the following:

(a) Stating that a donation is needed to meet a specific need, when the person already has sufficient funds to meet that need and does not disclose that fact;

(b) Stating that a donation is needed to meet a need that does not exist;

(c) Stating that the person is from out of town and stranded when that is not true;

(d) Wearing or displaying an indication of physical disability when the person does not suffer the disability indicated;

(e) Use of any makeup or device to simulate any deformity; or

(f) Stating that the solicitor is homeless, when he or she is not.

(2) *Solicit* means and includes, without limitation, the spoken, written or printed word or such other acts as are conducted in furtherance of the purpose of obtaining donations. Solicitation does not include the sale of goods or services.

(C) *Violations*. Except as otherwise provided in Subsection (D), it shall be a violation of this ordinance for any person to solicit money or other things of value:

- (1) On private property if the owner, tenant or lawful occupant has asked the person not to solicit on the property or has posted a sign clearly indicating that solicitations are not welcome on the property;
 - (2) Within 15 feet of the entrance to or exit from any public toilet facility;
 - (3) Within 15 feet of an automated teller machine, provided that when an automated teller machine is located within an automated teller machine facility, such distance shall be measured from the entrance or exit of the automated teller machine facility;
 - (4) Within 15 feet of any pay telephone, provided that when a pay telephone is located within a telephone booth or other facility, such distance shall be measured from the entrance or exit of the telephone booth or facility;
 - (5) Within any public transportation vehicle, or within 15 feet of any bus stop, taxi stand or rapid transit stop;
 - (6) From any person who is waiting in line for entry to any building, public or private, including, but not limited to, any residence, business or athletic facility; or
 - (7) Within 15 feet of the entrance or exit from a building, public or private, including, but not limited to, any residence, business or athletic facility.
- (D) *Exceptions.* Notwithstanding Subsection (C), the following acts shall not be considered violations of this ordinance:
- (1) Soliciting money or other things of value on private property with the consent or invitation of the property owner; or
 - (2) Soliciting money or other things of value from the occupant of a residential unit, when such solicitation occurs at the front entrance of the residential unit and the occupant has not asked the person not to solicit on the property or posted a sign clearly indicating that solicitations are not welcome.

Section 3. Publication and Effective Date. The City Clerk shall cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance shall take effect 30 days after its adoption.

Jim Holton, Mayor

Jeremy Howard, City Clerk

Introduced: November 9, 2015
Adopted: December 14, 2015
Published: December 21, 2015
Effective: January 13, 2016

