

ORDINANCE NO. 2610

AN ORDINANCE CREATING CHAPTER 9.22 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "OFFENSES AGAINST PUBLIC PEACE"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 9.22 of the Moses Lake Municipal Code entitled "Offenses Against Public Peace" is created as follows:

9.22.010 Aggressive Begging (panhandling):

- A. No person shall engage in aggressive begging in any public place in the City as those terms are defined by this section.
- B. As used in this section:
 - 1. "Aggressive Begging" means to beg with intent to intimidate another person into giving money or goods.
 - 2. "Begging" means to ask for money or goods as a charity, whether by words, bodily gestures, signs, or other means.
 - 3. "Intimidate" means to coerce or frighten into submission or obedience.
 - 4. "Public place" means any road, alley, lane, parking area, sidewalk, or any place, private or otherwise, adopted to and fitted for vehicular or pedestrian travel that is in common use by the public with the consent, expressed or implied, of the owner or owners; and any public playground, school grounds, recreation grounds, parks, parkways, park drive, park paths, and right-of-way open to the use of the public.

9.22.020 Solicitation From Vehicle Occupants:

- A. The purpose of this section is to promote the City's fundamental interest in public peace, health, and safety by regulating acts of solicitation that occur at locations and under circumstances specified herein which pose substantial risks to vehicular and pedestrian safety.
- B. No person shall solicit from the occupants of any vehicle and be physically present within or subsequently enter a prohibited roadway.
- C. As used in this section:
 - 1. "Enter" means to cross the vertical plane of the edge of a prohibited roadway. it includes crossing the vertical plane by any part of a persons' body or any extension thereof.
 - 2. "Prohibited roadway" means a state route, on ramp or off ramp to Interstate 90, or principal arterial, and also the first one hundred feet (100') of a road that intersects a state route, on ramp or off ramp to Interstate 90, or principal arterial, as measured from the edge of the state route, on ramp or off ramp to Interstate 90 or principal arterial.
 - a. Includes any portion of a road traveled by vehicles.
 - b. Includes the first five feet (5') beyond the edge of a paved shoulder where there is no sidewalk.

c. Includes medians, which may be denoted by a physical barrier or solid yellow pavement markings.

d. Excludes all sidewalks and cuts

3. "Solicit" means:

a. Either orally or in writing, directly or by implication, to ask, beg, request or plead for employment, goods, services, financial aid, monetary gifts, or any article representing monetary value, for any purpose.

b. Either orally or in writing, to sell or offer for immediate sale goods, services, or publications.

c. to distribute without remuneration goods, services, or publications.

d. To solicit signatures on a petition or opinions for a survey.

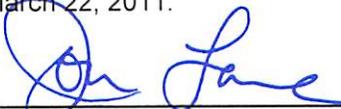
D. It is not a violation of this chapter for a person to summon aid in an emergency situation.

9.22.030 Penalty: Failure to comply with the provisions of this chapter shall subject the violator to the following penalties as they are defined in Chapter 1.08 of this code.

<u>Violation</u>	<u>Penalty</u>
1. Aggressive Begging - 9.22.010	C-13
2. Solicitation from vehicle occupants - 9.22.020	C-13

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on March 22, 2011.



Jon Lane, Mayor

ATTEST:



Ronald R. Cone, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney