

ORDINANCE NO. 2513

AN ORDINANCE OF THE CITY OF ISSAQUAH, WASHINGTON, ADOPTING A NEW CHAPTER 9.45 OF THE ISSAQUAH MUNICIPAL CODE, REGULATING TIME, PLACE AND MANNER FOR SOLICITATION ON PUBLIC RIGHT OF WAY, PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, coercive solicitation causes fear and intimidation upon citizens, and harms tourism and businesses;

WHEREAS, solicitation on certain locations poses traffic and public safety risks;

WHEREAS, the City of Council believes that it is important to protect the citizens of Issaquah from fear and intimidation accompanying coercive solicitation, to promote tourism and business and to preserve the quality of urban life while providing safe and appropriate venues for constitutionally protected activities; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF ISSAQUAH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Regulation of Solicitation. A new Chapter 9.45 of the Issaquah Municipal Code entitled “Regulation of Solicitation” is hereby adopted to read as follows:

**Chapter 9.45
REGULATION OF SOLICITATION**

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| Sections: | |
| 9.45.010 | Purpose. |
| 9.45.020 | Definitions. |
| 9.45.030 | Coercive Solicitation - Prohibited. |
| 9.45.040 | Time of Solicitation. |
| 9.45.050 | Place of Solicitation. |
| 9.45.060 | Penalties. |

9.45.010 Purpose.

The purpose of this chapter is to regulate and punish acts of coercive and aggressive begging, and acts of begging that occur at locations or under circumstances specified herein which create an enhanced sense of fear or intimidation in the person being solicited, or pose risk to traffic and public safety.

9.45.020 Definitions.

A. “Coercive” means to do the following with intent:

1. to approach, speak or gesture to a person in such a manner as would cause a reasonable person to believe that the person is being threatened with a commission of a criminal act upon the person, another person or property in the person’s possession.

2. to approach within 1 foot of a person for the purpose of making a solicitation without obtaining said person’s initial consent.

3. to persist in a solicitation after the person solicited has given a negative response.

4. to block the passage of a person, pedestrian traffic, a vehicle or vehicular traffic while making a solicitation.

5. to engage in conduct that would reasonably be construed as intended to compel or force a person being solicited to accede to demands;

6. to make any false or misleading representation in the course of making a solicitation.

B. “Solicitation” for the purposes of this chapter is any means of asking, begging, requesting, or pleading made in person, orally or in a written or printed manner, directed to another person, requesting an immediate donation of money, contribution, alms, financial aid, charity, gifts of items or service of value, or the purchase of an item or service for an amount far exceeding its value, under circumstances where a reasonable person would understand that the purchase is in substance a donation.

9.45.030 Coercive Solicitation - Prohibited.

It shall be unlawful for a person to make coercive solicitation.

9.45.040 Time of Solicitation.

A. It shall be unlawful to make solicitation to pedestrians on public property after sunset or before sunrise.

9.45.050 Place of Solicitation.

A. It shall be unlawful to solicit at the following places:

1. on-ramp or off-ramp to state route or interstate highway;
2. within 300 feet of the following intersections and identified in Exhibit A, attached hereto and incorporated by reference:

- a. SR 900 and
 - i. NW Sammamish Road
 - ii. 12th Avenue NW
 - iii. NW Gilman Boulevard
 - iv. NW Mall Street
 - v. NW Maple Street
 - vi. NW Newport Way
- b. E. Lake Sammamish Parkway SE and
 - i. SE Issaquah Fall City Road
 - ii. SE 64th Place
 - iii. 229th Avenue SE
- c. NW Gilman Boulevard and
 - i. Front Street North
 - ii. 1st Avenue NW
- d. Rainier Boulevard North and
 - i. NW Juniper Street
 - ii. NW Holly Street

B. It shall be unlawful for a person to sell, or offer for immediate sale, goods, services or publications, or to distribute items without remuneration, to a person in a vehicle, at the following:

1. on-ramp or off-ramp to state route or interstate highway;
2. within 300 feet of the street intersections set forth in A(2) above.

9.45.060 Penalties.

Violation of any section of this chapter shall be a misdemeanor, punishable by a fine of up to \$1,000 and/or imprisonment for up to 90 days.

Section 2. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. Effective Date. This ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after publication.

Passed by the City Council of the City of Issaquah, the 22nd day of January, 2008.

Approved by the Mayor of the City of Issaquah the 22nd day of January, 2008.

APPROVED:

AVA FRISINGER, MAYOR

ATTEST/AUTHENTICATED:

CITY CLERK, CHRISTINE EGGERS

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

PUBLISHED: January 30, 2008
EFFECTIVE DATE: February 4, 2008
ORDINANCE NO: 2513/AB 5707

