



## Legislation Details (With Text)

**File #:** 18-085      **Version:** 1      **Name:**  
**Type:** Other Items of Business      **Status:** Agenda Ready  
**File created:** 2/22/2018      **In control:** City Council Work Session  
**On agenda:** 3/5/2018      **Final action:**  
**Title:** Update on Panhandling  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Current Provisions in City Code, 2. Draft Ordinance

Date	Ver.	Action By	Action	Result
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**TO:** Mayor and Members of City Council

**THRU:** Karen M. McDonald, City Attorney

**FROM:** Brandon Christian, Police Attorney

**DATE:** March 5, 2018

**RE:**  
Update on Panhandling

**COUNCIL DISTRICT(S):**  
ALL

### **Relationship To Strategic Plan:**

Goal IV: Desirable Place to Live, Work, and Recreate

### **Executive Summary:**

This item was last discussed at your October 30, 2017, work session. At that time, several members of Council expressed an interest in amending the Panhandling Ordinance as it pertains to panhandling from the side of public streets.

### **Background:**

Council has previously requested staff to review the ordinances of other cities to determine whether Fayetteville has appropriate ordinances regulating activities associated with panhandling.

To that end, staff has reviewed the ordinances of other North Carolina municipalities, and has

presented those findings to Council during a previous work session. At that time, Council directed staff to investigate alternatives to address the concerns of citizens regarding the conduct of panhandlers on the side of public streets and highways and the safety issues it creates for the panhandler and the occupants of motor vehicles.

Consistent with Council's interest, staff has drafted an ordinance amendment which is based largely upon a Charleston, SC, ordinance which restricts the passing of items to and from vehicles on public streets. State statute prohibits the adoption of an ordinance that prohibits the distribution of newspapers. Hence, a section has been added to provide for an exemption.

**Issues/Analysis:**

No known issues.

**Budget Impact:**

Unknown at this time.

**Options:**

1. Accept the proposed amendments and direct staff to place on a future agenda for adoption.
2. Reject the proposed amendment for newspapers.
3. Provide additional direction to staff.

**Recommended Action:**

Staff recommends that Council review the proposed amendments and provide direction to staff.

**Attachments:**

Current Provisions in City Code  
Draft Ordinance