

New Bedford City Council considering Seattle's panhandling code

The following motion is scheduled for discussion at the New Bedford City Council session on 21 November, 2017:

7. WRITTEN MOTION, Council President Lopes, Councillors Winterson and Abreu, requesting that the Committee on Ordinances, draft an Ordinance similar to the Seattle's Municipal Code 12A.12.015 (B) (1) that establishes penalties for intentionally obstructing or interfering with pedestrian or vehicle traffic as a means of addressing panhandling.

Here is the text of Seattle's Municipal Code 12A.12.015:

12A.12.015 Pedestrian interference.
Seattle Municipal Code

A. The following definitions apply in this section:

1. "Aggressively beg" means to beg with the intent to intimidate another person into giving money or goods.
2. "Intimidate" means to engage in conduct which would make a reasonable person fearful or feel compelled.
3. "Beg" means to ask for money or goods as a charity, whether by words, bodily gestures, signs, or other means.
4. "Obstruct pedestrian or vehicular traffic" means to walk, stand, sit, lie, or place an object in such a manner as to block passage by another person or a vehicle, or to require another person or a driver of a vehicle to take evasive action

to avoid physical contact. Acts authorized as an exercise of one's constitutional right to picket or to legally protest, and acts authorized by a permit issued pursuant to the Street Use Ordinance, Chapters 15.02 through 15.50 of the Seattle Municipal Code, shall not constitute obstruction of pedestrian or vehicular traffic.

5. "Public place" means an area generally visible to public view and includes alleys, bridges, buildings, driveways, parking lots, parks, plazas, sidewalks and streets open to the general public, including those that serve food or drink or provide entertainment, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.

B. A person is guilty of pedestrian interference if, in a public place, he or she intentionally:

1. Obstructs pedestrian or vehicular traffic; or
2. Aggressively begs.

C. Pedestrian interference is a misdemeanor.

(Ord. 117104 § 1, 1994: Ord. 116897 § 1, 1993: Ord. 113697 § 1, 1987.)

Cases: Subsection B 1 was upheld as constitutional in a challenge based on breadth and vagueness and does not deny equal protection of the laws. *Seattle v. Webster*, 115 Wn.2d 635, 802 P.2d 1333 (1990).