

ORDINANCE NO. 414

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, CREATING NEW A CHAPTER 9.55 TO TITLE 9 PUBLIC SAFETY OF THE UNIVERSITY PLACE MUNICIPAL CODE PROHIBITING PEDESTRIAN INTERFERENCE

WHEREAS, the City of University Place Council finds that citizens being approached by solicitors in public areas creates an intimidating and uncomfortable atmosphere; and

WHEREAS, the City Council further finds that the presence and interference of solicitors in the City's rights-of-way and roadways creates potentially hazardous traffic situations; and

WHEREAS, the City Council concludes that an ordinance prohibiting the obstruction of pedestrians or traffic in the City limits is necessary for the public health, safety and welfare of the citizens of University Place; NOW THEREFORE,

THE CITY COUNCIL OF THE CITY OF UNIVERSITY PLACE, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Create New Chapter 9.55 to Title 9 Public Safety of the University Place Municipal Code Prohibiting Obstruction of Pedestrians or Traffic. Chapter 9.55 is hereby added to the University Place Municipal Code and shall read as follows:

**Chapter 9.55
PEDESTRIAN INTERFERENCE**

Sections:

9.55.010

Definitions.

9.55.020

Violations – Penalties.

9.55.010

Definitions.

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 Titles 13 and 19 or other applicable titles of the University Place 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.

9.55.020 Violations - Penalties.

A. 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.

B. Pedestrian interference is a misdemeanor and shall be punished as provided for in RCW 9A.20.020(3).

Section 2. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances by a court of competent jurisdiction shall not be affected.

Section 3. Publication and Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City. This Ordinance shall be effective five (5) days after its publication.

PASSED BY THE CITY COUNCIL ON APRIL 19, 2004.



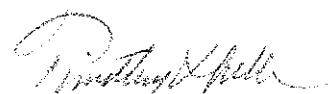
Ken Grassi, Mayor

ATTEST:



Catrina Craig, City Clerk

APPROVED AS TO FORM:



Timothy X. Sullivan, City Attorney

Published: April 21, 2004
Effective Date: April 26, 2004