

**Ordinance
of the
City of Minneapolis**

By Ostrow and Remington

Amending Title 15, Chapter 385 of the Minneapolis Code of Ordinances relating to Offenses--Miscellaneous: In General.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 385.60 of the above-entitled ordinance be amended to read as follows:

385.60. Aggressive solicitation. (a) *Policy.* As an aid in the interpretation and enforcement of this section the city council finds that:

- (1) Aggressive solicitation is disturbing and disruptive to residents and businesses and contributes to the loss of access to and enjoyment of public places and to a sense of fear, intimidation and disorder.
- (2) Aggressive solicitation may include approaching or following pedestrians, repetitive soliciting despite refusals, the use of abusive or profane language to cause fear and intimidation, unwanted physical contact, or the intentional blocking of pedestrian and vehicular traffic.
- (3) The presence of individuals who solicit money from persons in places that are confined, difficult to avoid, or where a person might find it necessary to wait, is especially troublesome because of the enhanced fear of crime.
- (4) This section is intended to protect citizens from the disruption, fear and intimidation accompanying certain kinds of solicitation, and not to limit constitutionally protected activity.

(b) *Definitions.*

(1) "Solicitation," as used in this section, means any plea made in person where:

- ~~(1)~~ a. A person by vocal appeal requests an immediate donation of money or other item from another person; or

(2) b. A person verbally offers or actively provides an item or service of little or no ~~monetary~~ value to another in exchange for a donation, under circumstances where a reasonable person would understand that the transaction is in substance a donation.

However, solicitation shall not include the act of passively standing, sitting, or engaging in a performance of art with a sign or other indication that a donation is being sought, without any vocal request other than in response to an inquiry by another person.

(2) “Convenience store,” as used in this section, means a retail establishment offering for sale prepackaged food products, household items, and other goods commonly associated with them, with a gross floor area of less than seven thousand five hundred (7,500) square feet.

(3) “Public entertainment venue” means a place that is open to the public (whether or not upon payment of a fee for admission and whether or not the management reserves the right to exclude individual members of the public) for entertainment but does not include a shop. The term includes, but is not limited to, cinemas, theatres, concert halls, electronic games centers, indoor sports centers (including a bowling alley), art galleries, museums, and premises upon which any display or exhibition promoted as such is conducted.

(4) “School grounds”, as used in this section, shall include any school building, school grounds, play area, parking lot or athletic field owned or leased by Special School District No. 1 or any charter school or K through 12 private school.

(5) “Shop” means premises used for the sale or displaying or offering for sale of goods or food to a member of the public, whether on a wholesale or retail basis and includes a warehouse (other than where the premises is temporarily used as a public entertainment venue).

(c) *Prohibitions.*

(1) It shall be unlawful in a public place to engage in an act of solicitation when the person being solicited is present at any of the following locations:

a. In a restroom.

- b. At a bus stop or shelter or light rail stop or shelter.
- c. At or within ten (10) feet in any direction from a crosswalk.
- d. In any public transportation vehicle or public transportation facility.
- e. In a vehicle which is parked or stopped on a public street or alley.
- f. In a sidewalk cafe.
- g. In a line waiting to be admitted to a commercial or government establishment.
- h. Within ~~twenty (20)~~ eighty (80) feet in any direction from an automatic teller machine or entrance to a bank, other financial institution, or check cashing business.
- i. On school grounds.
- j. On any park land, or in any park, playground, or public entertainment venue, including within fifty (50) feet of entry ways or exits thereto.
- k. At or within ten (10) feet in any direction of the property on which is located a gasoline filling station as defined in Chapter 287 of the Minneapolis Code of Ordinances.
- l. At or within ten (10) feet in any direction of the property on which is located a liquor store, including any establishment with an off-sale license under Chapter 362 of the Minneapolis Code of Ordinances, and not including any establishment with an on-sale license.
- m. At or within ten (10) feet in any direction of the property on which a convenience store is located.

(2) It shall be unlawful in a public place to engage in an act of solicitation in a manner that incorporates any of the following methods:

- a. Intentionally touching or causing physical contact with the solicited person without that person's consent.

- b. Intentionally blocking the path of the solicited person, or the entrance to any building or vehicle.
- c. Following behind, ahead or alongside a person who walks away from the solicitor after being solicited, with the intent to intimidate or continue solicitation.
- d. Using obscene, profane, or abusive language or gestures toward the solicited person.
- e. Approaching the solicited person in a manner that:
 - 1. Is intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or
 - 2. Is intended to or is likely to intimidate a reasonable person into responding affirmatively to the solicitation.
- f. Solicitation while under the influence of alcohol or drugs.
- g. Soliciting in a group of two (2) or more persons.

(3) It shall be unlawful in a public place to engage in an act of solicitation on any day after sunset, or before sunrise, or within one-half (1/2) hour preceding sunset or following sunrise.

(d) Penalties. Each act of solicitation prohibited by this section shall constitute a separate violation of this section. Each violation shall be punishable as a misdemeanor.

(e) Severance. If any section, sentence, clause, or phrase of this law is held invalid or unconstitutional by any court of competent jurisdiction, it shall in no way affect the validity of any remaining portions of this law.