

#4

13-0-1103

2357

(Do Not Write Above This Line)

AN ORDINANCE BY

*[Signature]*

COUNCILMEMBER MICHAEL JULIAN BOND

AN ORDINANCE TO AMEND CHAPTER 106, (OFFENSES AND MISCELLANEOUS PROVISIONS), ARTICLE III, (OFFENSES AGAINST PUBLIC ORDER), SECTION 106-85 (MONETARY SOLICITATION) SUBSECTION (B)(6) TO SPECIFY THAT THE PROHIBITION ON MONITARY SOLICITATION WITHIN FIFTEEN FEET OF THE ENTRANCE OR EXIT OF A BUILDING SHALL NOT, IN AND OF ITSELF, DISALLOW MONITARY SOLICITATION WITHIN FIFTEEN FEET OF OTHER PORTIONS OF THE BUILDING; AND FOR OTHER PURPOSES.

ADOPTED BY

JUL 0 1 2013

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

6/17/13

Referred To:

Public Safety

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred To \_\_\_\_\_

PSLA Committee  
 Date 6/15/13  
 Chair *[Signature]*  
 Action Fav, Adv, Hold (see rev. side)  
 Other  
 Members *[Signature]*  
*[Signature]*  
*[Signature]*  
 Refer To

Committee  
 Date  
 Chair  
 Action Fav, Adv, Hold (see rev. side)  
 Other  
 Members  
 Refer To

Committee  
 Date  
 Chair  
 Action Fav, Adv, Hold (see rev. side)  
 Other  
 Members  
 Refer To

Committee  
 Date  
 Chair  
 Action Fav, Adv, Hold (see rev. side)  
 Other  
 Members  
 Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Readings
- Consent
- V Vote
- RC Vote

CERTIFIED  
 JUL 0 1 2013  
 ATLANTA CITY COUNCIL PRESIDENT  
*[Signature]*

CERTIFIED  
 JUL 0 1 2013  
 Rhonda Daughlin Johnson  
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUL 10 2013

WITHOUT SIGNATURE  
BY OPERATION OF LAW



AN ORDINANCE BY  
COUNCILMEMBER MICHAEL JULIAN BOND

*[Handwritten signature of Michael Julian Bond]*  
13-0-

**AN ORDINANCE TO AMEND CHAPTER 106, (OFFENSES AND MISCELLANEOUS PROVISIONS), ARTICLE III, (OFFENSES AGAINST PUBLIC ORDER), SECTION 106-85 (MONETARY SOLICITATION) SUBSECTION (B)(6) TO SPECIFY THAT THE PROHIBITION ON MONITARY SOLICITATION WITHIN FIFTEEN FEET OF THE ENTRANCE OR EXIT OF A BUILDING SHALL NOT, IN AND OF ITSELF, DISALLOW MONITARY SOLICITATION WITHIN FIFTEEN FEET OF OTHER PORTIONS OF THE BUILDING; AND FOR OTHER PURPOSES.**

**WHEREAS**, monetary solicitation is the act of making an in-person request of another individual, either orally or by gesture, for an immediate distribution of money or anything of monetary value, where such act occurs on property owned or leased by the City of Atlanta (the "City"); and

**WHEREAS**, monetary solicitation is speech or expression protected by the First Amendment of the United States Constitution; and

**WHEREAS**, the City's history is rich with a tradition of honoring the First Amendment rights of all people; and

**WHEREAS**, because monetary solicitation may result in an individual reaching for a wallet, searching for money or handling currency, solicitation in certain locations and in certain manners can slow pedestrian traffic, disrupt patron access to buildings and lead to public safety risks; and

**WHEREAS**, in 2012, the City passed an ordinance (Atlanta Code of Ordinances section 106-85, hereinafter the "Monetary Solicitation Law" or the "Law") regulating the time, place and manner of monetary solicitation. The Law allows non-aggressive monetary solicitation to occur throughout the City except in certain specifically-defined locations; and

**WHEREAS**, one of the locations where monetary solicitation is prohibited is within fifteen feet of the entrance or exit of a building, including residences, businesses, event venues and athletic facilities; and

**WHEREAS**, in order to minimize impact upon First Amendment activity, the City desires to amend the Monetary Solicitation Law to specify that the prohibition on soliciting within fifteen feet of a building's entrance and/or exit does not, in and of itself, prohibit solicitation within fifteen feet of any other portion of a building.



**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS** that Chapter 106, (Offenses and Miscellaneous Provisions), Article III, (Offenses Against Public Order), Section 106-85 (Monetary Solicitation), subsection (b)(6) which currently reads:

(b) *Monetary solicitation in certain areas.*

It shall be unlawful for any person to monetarily solicit in any of the following places: ...

- (6) Within 15 feet of the entrance or exit of a building, whether publicly or privately owned, including without limitation any residence, business, event venue or athletic facility; ...

is hereby amended by adding the following sentence at the end of subsection (b)(6): “Nothing in this subsection (6) shall prohibit monetary solicitation within fifteen feet of any other portion of a building other than its exit(s) and entrance(s);”

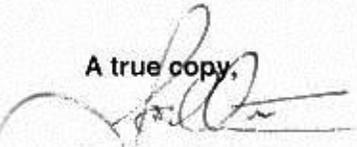
Subsection 106-85(b)(6) shall hereinafter read as follows:

(b) *Monetary solicitation in certain areas.*

It shall be unlawful for any person to monetarily solicit in any of the following places: ...

- (6) Within 15 feet of the entrance or exit of a building, whether publicly or privately owned, including without limitation any residence, business, event venue or athletic facility. Nothing in this subsection (6) shall prohibit monetary solicitation within fifteen feet of any other portion of a building other than its exit(s) and entrance(s); ...

A true copy,

  
Deputy Clerk

ADOPTED by the Atlanta City Council  
APPROVED as per City Charter Section 2-403

JUL 01, 2013  
JUL 10, 2013

RCS# 2863  
7/01/13  
3:21 PM

Atlanta City Council

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CONSENT AGENDA (PAGES 3 - 14)

*Except 13-R-3270* *clp*

ADOPT

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	B Watson
Y Young	Y Shook	Y Bottoms	NV Willis
B Winslow	Y Adrean	Y Sheperd	NV Mitchell

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RCS# 2866  
7/01/13  
3:26 PM

Atlanta City Council

CONSENT AGENDA SECTION I

RECONSIDER

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	B Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

RCS# 2867  
7/01/13  
3:26 PM

Atlanta City Council

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CONSENT AGENDA (PAGES 3 - 14)

*except 13-R-3270 bcp*  
ADOPT

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	B Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

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		07-01-13
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	
1. 13-O-1043	36. 13-R-3285	
2. 13-O-1103	37. 13-R-3286	
3. 13-O-1106	38. 13-R-3287	
4. 13-O-1075	39. 13-R-3288	
5. 13-O-1087	40. 13-R-3289	
6. 13-O-1091	41. 13-R-3290	
7. 13-O-1092	42. 13-R-3291	
8. 12-O-1093	43. 13-R-3292	
9. 13-O-1099	44. 13-R-3293	
10. 13-O-1104	45. 13-R-3294	
11. 13-R-3305	46. 13-R-3295	
12. 13-R-3275	47. 13-R-3296	
13. 13-R-3276	48. 13-R-3297	
14. 13-R-3271		
15. 13-R-0015		
16. 13-R-3263		
17. 13-R-3264		
18. 13-R-3265		
19. 13-R-3267		
20. 13-R-3273		
21. 13-R-3298		
22. 13-R-3299		
23. 13-R-3300		
24. 13-R-3301		
25. 13-R-3302		
26. 13-R-3303		
27. 13-R-3304		
28. 13-R-0636		
29. 13-R-3277		
30. 13-R-3279		
31. 13-R-3280		
32. 13-R-3281		
33. 13-R-3282		
34. 13-R-3283		
35. 13-R-3284		