

ORDINANCE NO. 1418

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARCATA AMENDING PANHANDLING PROHIBITIONS IN PARKING AREAS

TITLE IV—Public Welfare, Morals and Conduct CHAPTER 2—Other Violations

The City Council of the City of Arcata does ordain as follows:

Section 1: Section 4282—Unlawful Panhandling of Article 10—Unlawful Panhandling, Chapter 2—Other Violations, Title IV—Public Welfare, Morals and Conduct, of the Arcata Municipal Code is hereby amended as shown in the following strike through and underscored text:

SEC. 4282. Unlawful Panhandling. It is unlawful and a public nuisance for any person to:

- A. Panhandle in an aggressive manner in any public place;
- B. Panhandle within twenty (20) feet of any check cashing business, or within twenty (20) feet of any automated teller machine; provided, however, that when an automated teller machine is located within an automated teller machine facility, such distance shall be measured from the entrance or exit of the facility;
- C. Panhandle within twenty (20) feet of the entrance to a supermarket, retail store, restaurant or bar;
- D. Panhandle in any public transportation vehicle, or within twenty (20) feet of a bus stop or bus shelter;
- E. Panhandle in any City-owned parking lot or parking structure accessible to the general public, or within twenty (20) feet of the entrance or exit to ~~such~~ any parking lot or parking structure;
- F. Panhandling while on any public pedestrian foot bridge, or within twenty feet of the entrance or exit to a public pedestrian foot bridge; or
- G. Panhandle within twenty (20) feet of any intersection.

Section 2: Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, the decision shall not affect the validity of the remaining portions of the Chapter. The City Council hereby declares that it would have passed this Chapter, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid under law.

Section 3: Article 9 of Chapter 2, Title IV of the Arcata Municipal Code is hereby recodified from section numbers 4560 and 4570 to section numbers 4260 and 4270, respectively.

Section 4: This ordinance will take effect thirty (30) days after the date of its adoption.

DATE: June 6, 2012

ATTEST:

APPROVED:

/s/ Randal J. Mendosa
City Clerk, City of Arcata

/s/ Michael Winkler
Mayor, City of Arcata

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a true and correct copy of **Ordinance No. 1418**, passed and adopted at a regular meeting of the City Council of the City of Arcata, Humboldt County, California on the 6th day of June, 2012, by the following vote:

AYES: **WINKLER, BRINTON, ORNELAS, STILLMAN, WHEETLEY**

NOES: **NONE**

ABSENT: **NONE**

ABSTENTIONS: **NONE**

/s/ Randal J. Mendosa
City Clerk, City of Arcata