

ORDINANCE NO.: 2008-031

*Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina,  
Chapter 14, Offenses and Miscellaneous Provisions, Article I, In General,  
Sec. 14-3 Begging; obstructing pedestrian or vehicular traffic*

ORIGINAL  
STAMPED IN RED

BE IT ORDAINED by the Mayor and Council this 28th day of May, 2008, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article I, In General, Sec. 14-3 Begging; obstructing pedestrian or vehicular traffic, is amended to read as follows:

**Sec. 14-3. Begging; obstructing pedestrian or vehicular traffic.**

(a) *Definitions.* The following definitions apply for purposes of this section:

- (1) *Aggressively beg* means to beg with intent to intimidate another person into giving money or goods.
- (2) *Beg, solicit and solicitation* means to request or ask, directly or indirectly, for money, credit, property, financial assistance, food or drink, or any other thing of value as a charity, whether by words, bodily gestures, signs or other means.
- (3) *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 chapter 22, article VI, pertaining to parades and processions, shall not constitute obstruction of pedestrian or vehicular traffic.
- (4) *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.
- (5) *Financial institution* means a bank, trust company, savings and loan association, credit union, check-cashing business or other entity principally engaged in the business of lending money or receiving or soliciting money on deposit.
- (6) *Automated Teller Machine or ATM* means an unattended electronic machine, located in a public place, connected to an electronic system and related equipment activated by a magnetically encoded card allowing consumers to make deposits, pay bills, transfer money, obtain cash withdrawals, pay for purchases and perform other routine financial or banking transactions.
- (7) *After dark* means between sunset and sunrise. The times of sunset and sunrise shall be those times as published in The State newspaper or any other newspaper of general circulation in the corporate limits of the City of Columbia.

Begging or soliciting shall be deemed to have taken place when the request is made, whether or not the person or entity making the request received any contribution referred to in this section.

(c) *Prohibited acts.* It shall be unlawful for any person within the city in any public place to:

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- (1) Aggressively beg;
- (2) Obstruct pedestrian or vehicular traffic;
- (3) Touch the person being solicited without that person's consent;
- (4) Follow the person solicited after that person to whom the solicitation is directed has indicated either verbally, by physical sign or by attempting to leave the presence of the person soliciting;
- (5) Block the passage of the person to whom the solicitation is directed;
- (6) Beg within 20 feet of the entrance to any financial institution or any automated teller machine, regardless of whether or not such automated teller machine is located at or near a financial institution.
- (7) Beg within 20 feet of any outdoor dining area or outdoor merchandise area, provided such areas are in active use at the time.
- (8) Beg within 20 feet of any transit stop or shelter or taxi stand.
- (9) Beg while the person being solicited is standing in line waiting to be admitted to a commercial establishment.
- (10) Beg while the person being solicited is sitting in a vehicle awaiting or receiving drive thru service.
- (11) Beg after dark by means of verbal communication.

Nothing in this section shall relieve any person or entity from complying with or be construed as allowing conduct prohibiting or limited by Chapter 22, Articles III and VI, pertaining to obstructing sidewalks and parades and permits; Chapter 11, Article VII, Division 1-3, inclusive, pertaining to peddlers and solicitors, Chapter 15 pertaining to parks, S.C. Code Ann. §5-27-910, et seq., or any other laws, ordinances, rules or regulations of the city or state.

This ordinance is effective as of final reading.

Requested by:

Mayor Coble \_\_\_\_\_

  
MAYOR

Approved by:

  
City Manager

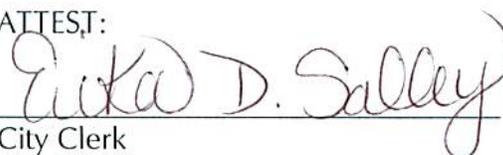
Approved as to form:

  
City Attorney

Introduced: 5/7/2008

Final Reading: 5/28/2008

ATTEST:

  
City Clerk