

**ORDINANCE NO. \_\_\_\_\_**

**An ordinance amending Chapter 16, Offenses-MISCELLANEOUS, Article I, IN GENERAL, Section 16-19, Begging, of the Broken Arrow Code; repealing all ordinances to the contrary; and declaring an emergency**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROKEN ARROW:**

**SECTION I.** That Chapter 16, Offenses-MISCELLANEOUS, Article I, IN GENERAL, Section 16-19, Begging, is hereby amended to read as follows:

Sec. 16-19. – Aggressive begging prohibited.

- (a) "Beg" means to stop or accost others or direct persons or animals to stop or accost others in order to ask for money or other thing of value, either by words, bodily gestures, signs or other devices.
- (b) "Hinder or obstruct" means to walk, stand, sit or lie in such a manner as to block or attempt to block or restrict passage by others or to require persons approaching to take evasive action to avoid physical contact.
- (c) "Public place" is an area open to the general public, including but not limited to streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots and buildings open to the general public, and the doorways and entrances to buildings or dwellings and the grounds enclosing them.
- (d) Repeatedly" means two (2) or more times within a period of one (1) hour.
- (e) It shall be unlawful and a class C offense for any person to aggressively beg as defined by this section. A person is guilty of aggressive begging if he or she:
  - 1. Repeatedly begs in a manner that hinders or obstructs the free passage of any person in a public place; or
  - 2. By physical action while in the act of begging, intentionally causes or attempts to cause another person to reasonably fear imminent force or violence upon property in his immediate possession, or commission of any criminal act upon his person or upon property in his immediate possession.

**SECTION II.** Any ordinance or parts of ordinances found to be in conflict herewith are hereby repealed.

**SECTION III.** An emergency exists for the preservation of the public health, peace and safety, and therefore this ordinance shall become effective from and after the time of its passage and approval.

**PASSED AND APPROVED** and the emergency clause ruled upon separately this \_\_\_\_ day of \_\_\_\_\_, 2018.

ATTEST:

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MAYOR

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(Seal) CITY CLERK

APPROVED:

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ASSISTANT CITY ATTORNEY