

Dwight Bassett

From: TERRIE GALE
Sent: Wednesday, July 02, 2008 3:55 PM
To: BRIAN CURRAN; Flo Miller; Bruce Heflin; Dwight Bassett; Roger Stancil
Subject: RE: Panhandling

I drafted the Town's panhandling ordinance to be as restrictive as I thought we could be at that time -

- while passing constitutional muster (based on researching the ordinances of many cities and reading many court decisions), and
- while avoiding certain approaches which I'd been given to understand were not considered desirable, including (1) registration, and (2) a total ban in some locations (because it pushes panhandling, which constitutionally cannot be banned throughout a city, off to other locations where it also is not wanted).

Possible changes or additions to the Town's ordinance at this time could include one or both of these approaches. We also might be able to extend the six-foot ban near bus stops, etc. to twenty feet, and add bans for areas near outdoor dining. We probably could add a prohibition of panhandling while intoxicated.

Asheville has instituted a panhandling restriction in their downtown area which is similar to our rules for nighttime, but is applicable both day and night. Verbal requests and gestures are prohibited, but persons may hold up signs or leave guitar cases open. Asheville's ordinance has not been challenged in court. We may want to consider this.

As best I can tell, Mr. Boyle's piece constitutes the minutes of a breakfast meeting held about a year ago by the Community Leadership Collaboration. I'd like to provide some clarification to the writer's references to my comments. I had been asked about Burlington, VT, which prohibits all panhandling within fifteen feet of any building entrance on its downtown strip. However, the affected area in Burlington is a mall closed to vehicular traffic, meaning that panhandlers have lots of space to beg from pedestrians while further than fifteen feet from doorways. I also was asked about Madison, Wisconsin's prohibitions of panhandling within twenty-five feet of an intersection, twelve feet of a nonresidential building, and twenty feet of a nonresidential building entrance; but note that these are applicable only "after having been warned that such activity is prohibited..." We may want to look further into Madison's approach.

From: BRIAN CURRAN
Sent: Wednesday, July 02, 2008 10:23 AM
To: TERRIE GALE
Subject: FW: Panhandling

From: Roger Stancil
Sent: Wednesday, July 02, 2008 9:48 AM
To: Flo Miller; Bruce Heflin; Dwight Bassett; BRIAN CURRAN
Subject: FW: Panhandling

For our consideration from Phil Boyle. I am curious about your thoughts about this and its usefulness..

Roger L. Stancil
Town Manager
Town of Chapel Hill, NC
919-968-2744

From: Phillip Boyle [mailto:pboyle@leadingandgoverning.com]
Sent: Wed 6/25/2008 8:56 PM
To: Roger Stancil
Subject: Panhandling

Roger,

Reflective policy making often being in short supply, perhaps this may be of some use.

Phil Boyle

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