

Chapter 8.13 REGULATION OF SOLICITATION

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8.13.010 Purpose.

The purpose of this chapter is to protect citizens from the fear and intimidation accompanying certain kinds of solicitation, to promote tourism and business, and to preserve the quality of urban life while providing same and appropriate venues for constitutionally protected activity. [Ord. 1257 § 1, 2008].

8.13.020 Definitions.

“Automated teller machine” means a machine, other than a telephone:

1. That is capable of being operated by a customer of a financial institution;
2. By which the customer may communicate to the financial institution a request to withdraw, deposit, transfer funds, make payment, or otherwise conduct financial business for the customer or for another person directly from the customer’s account or from the customer’s account under a line of credit previously authorized by the financial institution for the customer; and
3. The use of which may or may not involve personnel of a financial institution.

“Coercion” means:

1. To approach or speak to a person in such a manner as would cause a reasonable person to believe that the person is being threatened with either imminent bodily injury or the commission of a criminal act upon the person or another person or upon property in the person’s immediate possession;
2. To persist in a solicitation after the person solicited has given a negative response;
3. To block, either individually or as a part of a group of persons, the passage of a solicited person;
4. To engage in conduct that would reasonably be construed as intended to compel or force a solicited person to accede to demands;
5. To use violent or threatening gestures toward a person;
6. Willfully providing or delivering, or attempting to provide or deliver, unrequested or unsolicited services or products with a demand or exertion of pressure for payment in return; or
7. To use profane, offensive, or abusive language, which is inherently likely to provoke an immediate violent reaction.

“Exterior public pay telephone” means any coin or credit card reader telephone that is:

1. Installed or located anywhere on a premises except exclusively in the interior of a building located on the premises; and
2. Accessible and available for use by members of the general public.

“Public transportation facility” means a facility or designated location that is owned, operated, or maintained by a city, county, county transportation authority, public transportation benefit area, regional transit authority, or metropolitan municipal corporation within the state.

“Public transportation stop” means an area officially marked and designated as a place to wait for a bus, a light rail vehicle, or any other public transportation vehicle that is operated on a scheduled route with passengers paying fares on an individual basis.

“Public transportation vehicle” has the meaning given that term in RCW 46.04.355, as currently adopted or as it may be amended in the future.

“Self-service car wash” means a structure:

1. At which a vehicle may be manually washed by its owner or operator with equipment that is activated by the deposit of money in a coin-operated machine; and
2. That is accessible and available for use by members of the general public.

“Self-service fuel pump” means a fuel pump:

1. From which a vehicle may be manually filled with gasoline or other fuel directly by its owner or operator, with or without the aid of an employee or attendant of the premises at which the fuel pump is located; and
2. That is accessible and available for use by members of the general public.

“Solicit” and all derivative forms of “solicit” means to ask, beg, solicit, or plead, whether orally or in a written or printed manner, for the purpose of immediately receiving contributions, alms, charity, or gifts or items of value for oneself or another person. [Ord. 1257 § 1, 2008].

8.13.030 Place of solicitation.

A. Solicitation Near Designated Locations and Facilities.

1. It is unlawful for any person to solicit another person within 15 feet of:
 - a. An automated teller machine;
 - b. The entrance of a building, unless the solicitor has permission from the owner or occupant;
 - c. An exterior public pay telephone;
 - d. A self-service car wash;
 - e. A self-service fuel pump;
 - f. A public transportation stop; or
 - g. Any parked vehicle as occupants of such vehicle enter or exit such vehicle.
2. It is unlawful for a person to solicit another person:
 - a. After sunset or before sunrise;

b. In any public transportation facility or vehicle;

c. By approaching an operator or occupant of a motor vehicle while such vehicle is located on a public roadway, unless for the purpose of summoning aid or requesting assistance in an emergency situation.

B. For purposes of subsection (A) of this section, measurement will be made in a straight line, without regard to intervening structures or objects, from the nearest point at which a solicitation is being conducted to whichever is applicable of the following:

1. The nearest entrance or exit of a facility in which an automated teller machine is enclosed or, if the machine is not enclosed in a facility, to the nearest part of the automated teller machine;
2. The nearest entrance or exit of a building;
3. The nearest part of an exterior public pay telephone;
4. The nearest part of the structure of a self-service car wash;
5. The nearest part of a self-service fuel pump;
6. The nearest point of any sign or marking designating an area as a public transportation stop; or
7. Any door of a parked vehicle that is being used by an occupant of such vehicle to enter or exit such vehicle. [Ord. 1257 § 1, 2008].

8.13.040 Solicitation by coercion.

It is unlawful for a person to solicit by coercion. [Ord. 1257 § 1, 2008].

Mobile Version