



City of Lake Charles

326 Pujo Street
P.O. Box 1178
Lake Charles, LA
70602-1178

Signature Copy

Ordinance: 20050

File Number: 507-24

Enactment Number: 20050

An ordinance amending Sec. 12-39 of the Code of Ordinances for the City of Lake Charles relative to panhandling to include the prohibition against the solicitation on an interstate highway and/or in a public right-of-way.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAKE CHARLES, LOUISIANA, in regular session convened, that:

SECTION 1: Sec. 12-39 of the Code of Ordinances for the City of Lake Charles is hereby amended and reenacted to read as follows:

"Sec. 12-39. Panhandling, begging and soliciting money.

(a) *Definitions.* The following words, terms and phrases when used in this section shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Aggressive manner shall be defined as:

(1) Any of the following:

a. Intentionally making any physical contact with another person in the course of the solicitation, except with the person's consent; or

b. Touching another person in the course of the solicitation, except with the person's consent; or

c. Approaching another person within an arm's length of the person, except with the person's consent;

(2) Following the person being solicited, if that conduct is intended to or is likely to cause any of the following:

a. A reasonable person to fear imminent bodily harm, a battery, or the commission of a criminal act upon the person or property in the person's possession; or

b. Reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation;

(3) Continuing to solicit within ten feet of the person being solicited after the person has made a negative response, if continuing the solicitation is intended to or is likely to cause any of the following:

a. A reasonable person to fear imminent bodily harm, a battery, or the commission of a criminal act upon the person or property in the person's possession; or

b. Reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation;

(4) Intentionally blocking the passage of the person being solicited or requiring the person, or the driver of a vehicle, to take evasive action to avoid physical contact with the person making the solicitation;

(5) Intentionally doing any of the following:

a. Speaking at an unreasonably loud volume under the circumstances; or

b. Using words:

1. Intended to or likely to cause a reasonable person to fear imminent bodily harm, a battery, or the commission of a criminal act upon the person or property in the person's possession or

2. Likely to intimidate the person into responding affirmatively to the solicitation; or

(6) Approaching the person being solicited in a manner that is likely to do any of the following:

a. Cause a reasonable person to fear imminent bodily harm, a battery, or the commission of a criminal act upon the person or property in the person's possession; or

b. Intimidate the person being solicited into responding affirmatively to the solicitation.

Public area means an area open to use by the general public, including, but not limited to, streets, bridges, buildings, driveways, parking lots, parks, plazas and sidewalks open to the general public, and the doorways and entrances to the buildings and dwellings, and the grounds enclosing them.

To solicit money or anything of value shall include, without limitation, the spoken, written, or printed word or such other acts or bodily gestures as are conducted in furtherance of the purposes of obtaining charitable or gratuitous donations, contributions or alms. Anything of value means cash, currency, coin, or any other financial instrument given to a person not exempted by R.S. 32:218.

(b) *Prohibited activity.*

(1) It shall be unlawful for any person to solicit money or anything of value, or to solicit the sale of goods or services, in an aggressive manner in a public area.

(2) It shall be unlawful for any person to solicit money or anything of value, or to solicit the sale of goods or services, from a person in a public area after that person has made a negative response.

(3) It shall be unlawful for any person to solicit money or anything of value, or to solicit the sale of goods or services, in any public vehicle or at a bus stop.

(4) It shall be unlawful for any person to solicit money or anything of value or to solicit the sale of goods or services, if the person making the solicitation knows or reasonably should know that the solicitation is occurring within 50 feet of an automated teller machine, or within 50 feet of any entrance or exit to a building containing an automated teller machine, unless a private owner of the property covered by this clause consents to such solicitations.

(5) It shall be unlawful for any person to solicit money or anything of value, or to solicit the sale of goods or services, on private property or residential property, under any of the following circumstances:

a. If the presence of the person constitutes a trespass;

b. If the owner, tenant, or lawful occupant has asked the person not to solicit money or anything of value on the property; or

c. If the owner, tenant, or lawful occupant has posted a sign clearly indicating that solicitations or panhandling are not welcome or permitted on the property.

(6) It shall be unlawful for any person to solicit money or anything of value, or to solicit the sale of goods or services, from any operator of a motor vehicle that is in traffic on a public street, whether in exchange for cleaning the vehicle's windows or otherwise; provided that, this subsection shall not apply to services rendered in connection with emergency repairs requested by the owner or passengers of such motor vehicle.

(7) It shall be unlawful for any person to solicit money or anything of value from any operator or occupant of a motor vehicle on a public street in exchange for blocking, occupying, or reserving a public space, or directing the occupant to a public parking space.

(8) It shall be unlawful for any person to solicit money or anything of value on any interstate highway, public right-of-way, or any entrance or exit ramp of any interstate highway.

(c) *Penalty.* A violation of this section may be punished by a fine not to exceed \$500.00, or by imprisonment for a term not to exceed 30 days, or by both, or by a required public service work as directed by the court.

(d) *Exemptions.* This section shall not apply to:

(1) A professional firefighters' association or other nonprofit organization who solicits contributions, as a member of such association, on behalf of bona fide charitable organizations.

(2) A person who is conducting an activity that has been authorized by any other provision of this Code of Ordinances.

SECTION 2: All other paragraphs, subsections, subparagraphs, clauses, phrases, and words of this section, not specifically amended by this ordinance, are to remain the same.

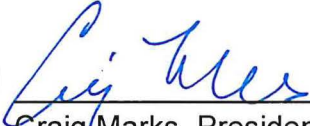
At a meeting of the City Council on 9/4/2024, a motion was made that this Ordinance be adopted. The motion carried by the following vote:

For: 6 Mark Eckard, John Ieyoub, Craig Marks, Stuart Weatherford, Luvertha August, and Ronnie Harvey Jr.

Against: 0

Absent: 1 Rodney Geyen

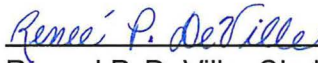
Passed and Adopted



Craig Marks, President or Presiding Officer

Date _____

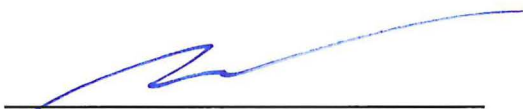
Attest



Renee' P. DeVillie, Clerk of the Council

Date 9/4/24

Approved by



Nicholas E. Hunter, Mayor
City of Lake Charles, Louisiana

Date 9-9-24