ORDINANCE NO. _____

AN ORDINANCE TO IMPOSE AN ABSOLUTE BAN ON THE
SOLICITATION OF ANY ITEM WITHIN STREETS OR FROM
MEDIANS LOCATED WITHIN STREETS, OF WHATEVER THE
CLASSIFICATION, WITHIN THE CITY OF LITTLE ROCK,
ARKANSAS; TO DECLARE AN EMERGENCY; AND, FOR OTHER
PURPOSES.

WHEREAS, the City currently as a codified ordinance that prohibits solicitation on or along any major
or minor arterial street of the City, as set forth in Little Rock, Ark., Rev. Code § 17-129 (1988), as a part of
Article V of the Chapter 17 of the Code of Ordinances which deals with peddlers, solicitors and canvassers;
and,

WHEREAS, the Board of Directors of the City of Little Rock has expressed a desire to deal with
Article V to assure that it complies with all rights guaranteed to individuals by the First Amendment to the
U.S. Constitution, and by Article II of the Arkansas Constitution; and,

WHEREAS, while this investigation is ongoing the City has ceased enforcement of the entire article,
and as a result there has been an increase in the number of persons who solicit for contributions, donations,
money, and other matters, along various streets within the City; and,

WHEREAS, the persons who solicit these funds not only request assistance, but also walk from car to
car, ask people to roll down their windows, and to provide funds, and in this process have included young
children among those who solicit funds; and,

WHEREAS, such activity as walking into traffic, provides a significant safety hazard to the persons
who solicit the funds, as well as to drivers of automobiles who may not see the persons who are soliciting
the funds; and,

WHEREAS, after review of studies from other areas such as Montgomery County, Maryland, and
Austin, Texas, it has been determined that there is indeed a major safety hazard that the City has the ability
to address with appropriate legislation;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY
OF LITTLE ROCK, ARKANSAS:

Section 1. No person shall stand in or enter upon a roadway, median, or portion of a public street, for
the purpose of distributing anything to the occupant of any vehicle.
Section 2. No person shall stand in or enter upon a roadway, median, or portion of a public street, for
the purpose of soliciting any item, including but not limited to money, from the occupant of any vehicle.

Section 3. The prohibition on the distribution of anything contained in Section 1 of this ordinance
does not apply to distribution to the occupant of a non-moving vehicle on a roadway adjacent to a sidewalk
if the person who makes the distribution remains on the sidewalk, and if the occupant of the non-moving
vehicle voluntarily accepts the distribution.

Section 4. Nothing contained in this ordinance is intended to prohibit solicitation or distribution by
any person on a sidewalk to another person on the same sidewalk.

Section 5. Penalty. Violation of this ordinance shall be subject to the penalties set forth in Section 1-9
of the Little Rock Revised Code.

Section 5. Repealer. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with
the provisions of this ordinance, are hereby repealed to the extent of such inconsistency.

Section 6. Severability. In the event any title, section, paragraph, item, sentence, clause, phrase, or
word of this ordinance is declared or adjudged to be invalid or unconstitutional, such declaration or
adjudication shall not affect the remaining portions of the ordinance which shall remain in full force and
effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the
ordinance.

Section 7. Emergency Clause. The ability to maintain safe streets and roadways from pedestrian
traffic when automobiles have the right of way is essential to the public health, safety, and welfare; however,
the proliferation of persons and entities that use streets, walk between cars, stand on medians, and
approach vehicles, as shown in the attached photographs, has created a major public safety hazard that
must be stopped without the violation of anyone’s right to solicit donations and distribute materials on
public property; an emergency is, therefore, declared to exist and this ordinance shall be in full force and
effect from and after the date of its passage.

PASSED: July 7, 2015

ATTEST: APPROVED:

________________________________________________________________________
Susan Langley, City Clerk                             Mark Stodola, Mayor

APPROVED AS TO LEGAL FORM:

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Thomas M. Carpenter, City Attorney