

131-O-00

**AN ORDINANCE**

**Amending Chapter 5 of Title 9 of the  
Evanston City Code Regulating Panhandling**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
EVANSTON, COOK COUNTY, ILLINOIS:

**SECTION 1:** That Chapter 5 of Title 9 of the Evanston City Code, 1979,  
as amended, is further amended by adding the following new section:

**9-5-29: PANHANDLING:**

**(A) DEFINITION:**

**Panhandling:** Any solicitation made in person upon any street,  
public place or park in the City, in which a person  
requests an immediate donation of money or other  
gratuity from another person, and includes but is not  
limited to seeking donations:

- (1) By vocal appeal or for music, singing, or other  
street performance; and
- (2) Where the person being solicited receives an  
item of little or no monetary value in exchange  
for a donation, under circumstances where a  
reasonable person would understand that the  
transaction is in substance a donation.

However, panhandling shall not include the act of passively standing or  
sitting or performing music, singing or other street performance with a sign  
or other indication that a donation is being sought, without any vocal  
request other than in response to an inquiry by another person.

**(B) PANHANDLING PROHIBITED:**

- (1) It shall be unlawful to engage in an act of panhandling when the  
person being solicited is located in a sidewalk café, in a public  
transportation vehicle, or in a public transportation facility.

- (2) It shall be unlawful to engage in an act of panhandling when either the panhandler or the person being solicited is located at any of the following locations: at a bus stop; in any public transportation vehicle or public transportation facility; in a vehicle which is parked or stopped on a public street or alley; in a sidewalk café, or within twenty (20) feet in any direction from an automatic teller machine or entrance to a bank.

**(C) AGGRESSIVE PANHANDLING PROHIBITED:**

It shall be unlawful to engage in an act of panhandling in an aggressive manner. A person's manner is aggressive if the person engages in any of the following actions:

- (1) Panhandling a person who is standing at an automatic teller machine while located within ten (10) feet of that person.
- (2) Panhandling a person who is standing at an automatic teller machine while the person is standing at the machine and within fifteen (15) seconds after the person begins to leave the machine.
- (3) Repeating a panhandling request when the person solicited is stationary and has refused an immediately prior request made at that location. Examples of a person who is stationary include but are not limited to:
  - (a) someone waiting in line, at a bus stop, or for a traffic signal, or
  - (b) someone seated on a public bench or in a car parked or stopped in a public street or alley.
- (4) At any time immediately before, during, or after the panhandling request, touching the solicited person without that person's consent.
- (5) Panhandling while blocking the path of the person solicited or the entrance to any building or vehicle.
- (6) Following behind, alongside, or ahead of the person solicited during or after the panhandling request.
- (7) Directing profane or abusive language at the person solicited at any time immediately before, during, or after panhandling.

- (8) Immediately before, during, or after panhandling, making any statement other than the panhandling request or acting in any other manner which, in light of the circumstances taken as a whole, i.e. darkness, would cause a reasonable person to feel harassed, intimidated, or compelled to contribute.

**(D) PENALTY:**

Each act of panhandling prohibited by this section shall constitute a public nuisance and a separate violation of this Code and is punishable by a fine, or community service.

**SECTION 2:** That this ordinance shall be in full force and effect upon passage and approval and publication in the manner provided by law.

**SECTION 3:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Introduced: December 18, 2000

Adopted: January 22, 2000

Approved: January 25, 2000

Lorraine A. Norton  
Mayor

ATTEST:

Mary P. Morris  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel

