

ORDINANCE NO. BG2018 - 45

ORDINANCE AMENDING CODE OF ORDINANCES

ORDINANCE AMENDING CHAPTER 9 (GENERAL OFFENSES) OF THE CITY OF BOWLING GREEN CODE OF ORDINANCES TO REPEAL PERMIT REQUIREMENTS FOR PUBLIC PANHANDLING, BEGGING, CHARITABLE AND POLITICAL SOLICITATION

WHEREAS, the Board of Commissioners adopted Chapter 9 (General Offenses), Subchapter 9-4 (Public Panhandling, Begging, Charitable and Political Solicitation Regulated) of the City of Bowling Green Code of Ordinances; and,

WHEREAS, that subchapter included language requiring a permit for public panhandling, begging, charitable and political solicitation; and,

WHEREAS, the Board of Commissioners has determined that such permits are not necessary and it is in the best interests of the City to repeal existing language related to permit requirements.

NOW, THEREFORE, BE IT ORDAINED by the City of Bowling Green, Kentucky as follows:

1. Chapter 9 (General Offenses) is hereby amended as follows:

...

9-4 PUBLIC PANHANDLING, BEGGING, CHARITABLE AND POLITICAL SOLICITATION REGULATED.

...

~~[9-4.04 Permit Required.]~~

~~[a. Any person engaging in passive panhandling, begging, charitable and political solicitation in a public place as defined above in which solicitation is allowed and for a period exceeding two (2) consecutive days or four (4) total days in a calendar year shall apply for and be in receipt of a permit issued by the City of Bowling Green Police Department. The Police Department shall issue the permit without fee to any eligible person who appears at the Police Department, states~~

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~~his true name, presents a photo identification or signs a declaration under oath that he has no such identification and provides a mailing address to which the Police Chief can mail correspondence related to the permit. The Police Department shall take a photo of all applicants.]~~

~~[b.— No person shall be eligible for a permit who has had a previously issued permit revoked by the Police Department within the past two (2) years.]~~

~~[c.— All permits shall be valid for two (2) years and may be renewed based on eligibility.]~~

~~[d.— The Police Chief may revoke a permit in writing based on findings that the applicant made false representations while applying for the permit or that the permit holder failed to comply with the terms of this Subchapter. An appeal of the revocation may be made in writing to the City Manager within seven (7) days of the revocation. The City Manager shall act upon the written appeal within thirty (30) days with such appeal based on the record before the Police Chief and the written appeal.]~~

...

3. The provisions of this Ordinance are hereby declared to be severable, and if any section, phrase or provision shall for any reason be declared invalid, such declaration of invalidity shall not affect the validity of the remainder of this Ordinance.

4. All prior Municipal Orders or Ordinances or parts of any Municipal Order or Ordinance in conflict herewith are hereby repealed.

5. This Ordinance is adopted pursuant to KRS 83A.060 in that it was introduced on October 16, 2018, and given final reading on November 20, 2018, and said Ordinance shall be in full force and effect upon signature, recordation and publication in summary pursuant to KRS Chapter 424.

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ADOPTED: November 20, 2018

APPROVED: Bruce Wilkerson
Mayor, Chairman of Board of Commissioners

ATTEST: Ashley Jackson
City Clerk

SPONSORED BY: Jeffery B. Meisel, City Manager, 10/08/2018, 2:30 p.m.