

Legislation Text

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Authorizing City Council's Legislative Oversight Committee to hold public hearings on potential solutions to the City's recent increase in aggressive panhandling.

WHEREAS, Many cities across the county are attempting to come to grips with aggressive panhandling, where soliciting is done in a confrontational and belligerent fashion often with loud and repeated demands, or following the pedestrian after the request is denied, or soliciting in places that are particularly intimidating such as near ATM machines or at red lights; and

WHEREAS, This aggressive conduct places the economic and social functions of our public spaces at risk by making its residents feel unsafe, and since people tend to avoid places where they feel threatened, this behavior can result in a decline in business and community life; and

WHEREAS, Aggressive panhandling must be clearly distinguished from passive solicitation as protected by the First Amendment, and also differentiated from homelessness, as studies have found that only a small percentage of the homeless panhandle and that few panhandlers are homeless and most do not remain in the streets once peak panhandling times are over; and

WHEREAS, The courts have given communities substantial leeway in establishing certain reasonable time, place, and manner restrictions on the conduct of panhandling in order to increase public safety and facilitate the use of public spaces for their intended purposes; and

WHEREAS, After several years of debate, Philadelphia adopted a sidewalk behavior ordinance in 1998 that prohibits soliciting money in an aggressive manner, and establishes a protocol where the offender must first receive an oral warning, then receive the opportunity for treatment services from an Outreach Team, and if both are refused, a code violation notice is issued; and

WHEREAS, In the last year Philadelphia neighborhoods and Center City in particular have seen a dramatic rise in panhandlers, particularly "professional panhandlers" who utilize props, animals, or children, and specifically targeting the Avenue of the Arts and Restaurant Row; and

WHEREAS, As a result the Mayor's Task Force on Homeless Services formed a panhandling subcommittee in June to develop recommendations to address the issue; the Center City District launched a public education campaign aimed at discouraging giving money to panhandlers; and the Center City Proprietors Association and Rittenhouse Row have sponsored a survey and held two public forums to address the issue; and

WHEREAS, Many experts feel that aggressive panhandling should be an offense handled by Center City's Community Court, established in February to quickly address quality of life crimes and if necessary to channel offenders into an appropriate social services center for treatment; and

WHEREAS, Obviously a solution must be found, as businesses and residents are very concerned about this quality of life issue, because aggressive panhandling is a direct threat to the social fabric and economic

vitality of our neighborhoods; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Legislative Oversight Committee is hereby authorized to hold public hearings on potential solutions to the City's recent increase in aggressive panhandling.