

value. Purchase of an item for an amount far exceeding its value, under circumstances where a reasonable person would understand that the purchase is in substance a donation, is a donation for the purpose of this chapter. **A person is not soliciting for purposes of this Chapter when he or she passively displays a sign or places a collection container on the sidewalk pursuant to which he or she receives monetary offerings in appreciation for entertainment or a street performance he or she provides.** This Chapter does not apply to peddling & soliciting activity governed by Chapter 5.40 of this code. (b) "Person" means & includes both individual persons & organizations.

9.10.020 TIME OF SOLICITATION. Any person who solicits after sunset or before sunrise is guilty of an infraction.

9.10.030 PLACE OF SOLICITATION. Any person who solicits in any of the following places, or any person who solicits when the person solicited is in any of the following places, is guilty of an infraction: (a) At any bus stop; (b) In any public transportation vehicle or facility; (c) In any vehicle on the street; (d) On private property, unless the solicitor has permission from the owner or tenant; **(e) Within 14' of any entrance way into or exit from any building open to the public other than those referenced in subsection (f) Where any such entranceway or exit is recessed from the public sidewalk, the fourteen feet shall be measured from the point at which the building abuts the sidewalk;** (f) Within 50' of any bank, savings and loan, or other financial institution buildings, including their outdoor automatic teller machines; (g) In the parking lot of any bank, savings and loan, or other financial institution; (h) Within 50' of all cash disbursement machines, outdoor vending machines, outdoor money changing machines, or any other outdoor machine or device which disburses or accepts coins or paper currency, except parking meters and newspaper vending machines; **(i) Within 14' of the face of any building not otherwise specifically referenced in this section or within 14' of any fence or other structure separating private property from the public right-of-way, other than cyclone fences between vacant lots and the public right of way;** (j) While seated on or leaning against any public bench, planter, monument or other public property; **(k) While seated on or leaning against privately owned property without the property owner's permission. (l) Within 14' of any crosswalk.**

9.10.040 MANNER OF SOLICITATION. Any person who solicits in any of the following manners is guilty of an infraction: (a) By coming within 3' feet of the person solicited, until that person has indicated that he or she wishes to make a donation; (b) By blocking the path of the person solicited, or other pedestrians, along a sidewalk or street; (c) By following a person who walks away from the solicitor; (d) By using profane or abusive language, either during the solicitation or following a refusal; (e) By soliciting in a group of two or more persons; or (f) While under the influence of alcohol or any illegal narcotic or controlled substance.

9.10.050 FALSE OR MISLEADING SOLICITATION. (a) Any person who knowingly makes any false or misleading representation in the course of soliciting a donation is guilty of an infraction. False or misleading representations include, but are not limited to, the following: (1) Stating that the donation is needed to meet a specific need, when the solicitor already has sufficient funds to meet that need and does not disclose that fact; (2) Stating that the donation is needed to meet a need which does not exist; (3) Stating that the solicitor is from out of town and stranded, when that is not true; (4) Stating that the solicitor is homeless, when he or she is not; (5) Stating that the solicitor is soliciting on behalf of an organization which does not exist or which has not authorized the solicitor to seek donations on its behalf. (b) Any person who knowingly solicits a donation stating that the funds are needed for a specific purpose and then spends the funds received for a different purpose is guilty of an infraction.

MISDEMEANOR. Any person who violates one or more of the sections of this chapter twice within a 6-month period is guilty of a misdemeanor.

Chapter 9.20 DEFACING SIDEWALKS 9.20.010 UNAUTHORIZED - AUTHORITY. No person shall paint, write or otherwise place or affix upon any public curb or sidewalk in the city, any advertisements of any kind or character whatsoever, or any signs, marks, or paint, other than official traffic signs, marks or paint placed thereon in accordance with law, except as hereinafter provided. The director of public works may authorize, in writing, the painting, placing, or affixing of house numbers, pedestrian safety signs, or other markings serving a public interest.

Chapter 9.36 NOISE CURFEW - OFFENSIVE NOISE. (a) No person shall between the hours of 10:00 p.m. and 8:00 a.m. make, cause, suffer or permit to be made any offensive noise (1) which is made within one hundred feet of any building or place regularly used for sleeping purposes, or (2) which disturbs, or would tend to disturb, any person within hearing distance of such noise. (b) "Offensive noise" means any noise which is loud, boisterous, irritating, penetrating, or unusual, or that is unreasonably distracting in any other manner, such that it is likely to disturb people in the vicinity of such noise, and includes, but is not limited to, noise made by barking or howling dogs, by an individual alone or by a group of people engaged in any business, meeting, gathering, game, dance, or amusement, or by any appliance, contrivance, device, structure, construction, ride, machine, implement, or instrument.

UNREASONABLY DISTURBING NOISES. No person shall make, cause, suffer or permit to be made any noises or sounds (a) which are unreasonably disturbing or physically annoying to people of ordinary sensitiveness or which are so harsh or so prolonged or unnatural or unusual in their use, time or place as to cause physical discomfort to any person, and (b) which are not necessary in connection with an activity which is otherwise lawfully conducted. As used in this section, "lawfully conducted activities" shall include, but not be limited to, any and all activities conducted by the city for public health, safety or welfare purposes. **9.36.030**

SUBSEQUENT OFFENSE WITHIN FORTY-EIGHT HOURS Any person who violates any section of this chapter and is cited for such a violation, and who within forty-eight hours after receiving such a citation again violates the same section, is guilty of a misdemeanor.....

9.36.040 ENFORCEMENT. The provisions of this chapter are enforceable without reference to the regulations concerning noise set forth in the Zoning Ordinance and the fact that the city officer issuing a citation has not obtained a scientific noise measurement prior to issuing the citation shall not constitute a defense.

9.40.010 SOUND AMPLIFICATION PERMIT REQUIRED No person shall use or cause to be usedany sound-amplifying device or equipment without first having secured a permit to do so from the police department, except as provided in Section 9.40.60. [Exception:] **9.40.060** (d) Radios, record players, TV's, and tape players wherever used, when the volume does not exceed the volume of normal conversational speech...

Chapter 9.49 NONCOMMERCIAL SIGNS ON PUBLIC PROPERTY (b) Noncommercial Sign. A "noncommercial sign" is any sign that is not commercial. Noncommercial signs include: (1) Advertising displays erected by non-profit organizations for fundraising and related purposes; and (2) Signs containing political, civic, public service, or religious messages.