

# ORDINANCE NO. 98-014

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF MAR 17 1998

**AN ORDINANCE ADDING CHAPTER 10.06 TO TITLE 10 OF THE SACRAMENTO CITY CODE, RELATING TO SOLICITATION ON STREET MEDIANS AND FREEWAY ON-RAMPS AND OFF-RAMPS**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

**SECTION 1.**

**Findings.**

(a) The activity of soliciting employment, business or contributions from occupants of vehicles distracts drivers from their primary duty to watch traffic and be alert for potential hazards in the roadway, to observe all traffic control signals, signs or warnings, and to be prepared to move through the City's streets and intersections.

(b) The practice of soliciting employment, business or contributions on medians and freeway on-ramps and off-ramps from occupants of vehicles impedes the flow of traffic on the streets within the City, results in the delay and obstruction of the public's free flow of travel, and results in congestion and blockage of the streets when such persons converse and negotiate with the occupants of vehicles.

(c) Distracted drivers are more prone to be involved in automobile accidents, and accidents on the public streets constitute a substantial traffic safety problem which further impedes and prevents the orderly flow of traffic, is unsafe for the person engaging in the solicitation, pedestrian traffic, and automotive traffic generally.

(d) The cumulative impact of this type of activity on the City's streets and highways on a daily basis has created a potential safety hazard, which poses a significant and substantial risk to the interest of the public in the free flow of travel in the City.

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**SECTION 2.**

Chapter 10.06 is hereby added to Title 10 of the Sacramento City Code, to read as follows:

10.06 Solicitation on Medians, On-Ramps and Off-Ramps Prohibited.

10.06.800 Purpose.

It is the intent of this chapter to impose reasonable place limitations on solicitation, as defined herein, in order to protect the safety of the general public while respecting the constitutional right of free speech.

10.06.801 Definitions.

As used in this chapter, the following terms have the meanings respectively ascribed to them:

(a) "Business" means any type of product, goods, service, performance or activity which is provided or performed, or offered to be provided or performed, in exchange for money, labor, goods or any other form of consideration.

(b) "Employment" means services, industry or labor performed by a person for wages or other compensation or under any contract of hire, written, oral, express or implied.

(c) "Freeway" means any divided arterial highway for through traffic with full control of access, uninterrupted by private roads and intersecting streets.

(d) "Highway" shall mean any way or place of whatever nature, publicly maintained and open to the use of the public for purposes of vehicular travel. Highway includes streets.

(e) "Median" means that concrete portion of a divided highway separating the traveled ways for traffic in opposite directions.

(f) "Off-ramp" means any public roadway providing vehicular access from a freeway.

(g) "On-ramp" means any public roadway providing vehicular access to a freeway.

(h) "Solicit" means to make a request, offer, enticement, or action which announces the availability for or of employment, or a request for money or other property; or to make a request, offer, enticement or action which seeks to purchase or secure goods or employment, or to receive a contribution of money or other property. A solicitation shall be deemed complete when made whether or not an actual employment relationship is created, a transaction is completed, or an exchange of money or other property takes place.

10.06.802 Prohibited Solicitation.

It shall be unlawful for any person on any median, on-ramp, off-ramp or area immediately adjacent thereto, to solicit or attempt to solicit employment, business or contributions of money or other property from any person traveling in a vehicle along a public right-of-way, including but not limited to public streets, highways or driveways.

10.06.803 Violation and Penalty.

Any person violating Section 10.06.802 is guilty of an infraction.

10.06.804 Non-exclusivity.

Nothing in this chapter shall limit or preclude the enforcement of other applicable laws.

DATE PASSED FOR PUBLICATION: March 10, 1998  
DATE ENACTED: March 17, 1998  
DATE EFFECTIVE: April 16, 1998

ATTEST:



CITY CLERK

  
MAYOR

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