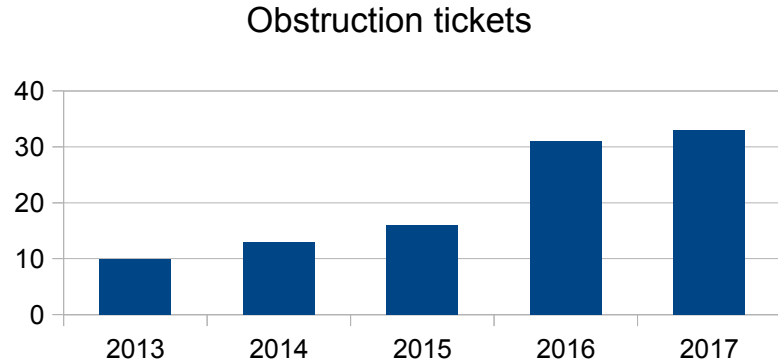


Obstruction tickets 2013-2017

FC 17-128 – obstructing a highway or passageway

year	tickets
2013	10
2014	13
2015	16
2016	31
2017	33



Notes:

- Sec. 17-128 was re-written and adopted by City Council in August 2017

Text of ordinance:

Sec. 17-128. - *Obstructing* a highway or passageway.

(a) The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Subsection:

Business hours shall mean the time the business is open, plus an hour before opening and an hour after closing. The hours may be posted on the business itself or on its website, or if the hours are not posted, between the hours of 8:00 a.m. and 6:00 p.m.

Entrance shall mean the frame of any door for use by the public or by employees to access the building.

Unreasonably inconvenient or hazardous shall mean potentially causing danger, trouble, difficulty, or frustration to the ordinary person.

(b) No person acting without legal privilege shall:

(1) *Obstruct* a highway, street, sidewalk, railway, waterway, building entrance, elevator, aisle, stairway, hallway or any other public place for the passage of persons, vehicles or conveyances to which the public or a substantial group of the public has access, or *obstruct* pedestrian access to fixtures intended for use by the public, including but not limited to, benches, pedestrian signal buttons, trash cans, and water fountains, whether the *obstruction* arises from that person's acts alone or from that person's acts and the acts of others; or

(2) Disobey a reasonable request or order to move issued by one whom the person knows to be a peace officer, a firefighter, or a person with authority to control the use of the premises, to prevent *obstruction* of a highway or passageway or to maintain public safety by those gathered in dangerous proximity to a fire, riot or other hazard.

(c) For purposes of this Section, the term *obstruct* shall mean to render impassable or to render passage unreasonably inconvenient or hazardous. The term unreasonably inconvenient or hazardous as defined in Subsection (a) shall include, but not be limited to, sitting, kneeling, or lying within twenty (20) feet of the entrance to any business establishment during the business hours of that establishment, whether or not a particular person's passageway has, in fact, been impeded.

(d) The foregoing prohibitions against sitting, kneeling, or lying within twenty (20) feet of the entrance to a business establishment during business hours shall not apply to any person who is:

- (1) As a result of a disability, utilizing a wheelchair, walker or similar device to move about the public sidewalk;
- (2) Sitting or lying down due a medical emergency;
- (3) Participating in or attending a parade, festival, performance, rally, demonstration, meeting or similar event conducted pursuant to a street use or other applicable permit;
- (4) Sitting on a public sidewalk within a bus stop zone while waiting for public or private transportation;
- (5) Sitting on a chair supplied by the City or the Downtown Development Authority for use in the occupied location;
- (6) Age thirteen (13) or under;
- (7) Operating a commercial establishment or vending cart, or carrying out other activities pursuant to a license, permit, or other authorization; or
- (8) An employee or agent of the City or Downtown Development Authority, acting within the scope of his or her employment.

(Ord. 38, 2003, 3-18-03; Ord. No. [100, 2017](#), § 2, 8-15-17)