

ORDINANCE/RESOLUTION REQUEST

Please email requests to the Mayor's Legislative Team
at MileHighOrdinance@DenverGov.org by **3:00pm on Monday**. For any questions please contact Skye Stuart.

****All fields must be completed.****
Incomplete request forms will be returned to sender which may cause a delay in processing.

Date of Request: _____

Please mark one: Bill Request or Resolution Request

1. Has your agency submitted this request in the last 12 months?

Yes No

If yes, please explain:

2. Title: *(Include a concise, one sentence description – please include name of company or contractor and contract control number - that clearly indicates the type of request: grant acceptance, contract execution, contract amendment, municipal code change, supplemental request, etc.)*

A bill for an ordinance amending existing city laws governing aggressive panhandling and solicitation in roadways

3. Requesting Agency: City Attorney

4. Contact Person: *(With actual knowledge of proposed ordinance/resolution.)*

- **Name:** David W. Broadwell, Asst. City Attorney
- **Phone:** 720-865-8754
- **Email:** david.broadwell@denvergov.org

5. Contact Person: *(With actual knowledge of proposed ordinance/resolution who will present the item at Mayor-Council and who will be available for first and second reading, if necessary.)*

- **Name:** David Broadwell and Chad Sublet
- **Phone:** 5-8754, 3-8065
- **Email:** david.broadwell@denvergov.org chad.sublet@denvergov.org

6. General description/background of proposed ordinance including contract scope of work if applicable:

The proposed ordinance will amend the city's existing ordinance, originally adopted in 2000, governing aggressive panhandling. These amendments are proposed in order to bring the ordinance into compliance with recent rulings in the federal courts indicating that municipal ordinance regulating the content of speech in public places (in this case oral requests for an immediate exchange of money) are subject to strict scrutiny by the courts, and must be justified by a compelling government interest. Applying this legal standard, a recent decision by the Federal District Court for Colorado struck down provisions in a Grand Junction panhandling ordinance similar to some of the provisions of the Denver ordinance.

The proposed amendments will retain the portions of the existing panhandling law that prohibit threatening, obstructive, disorderly, harassing or assaultive behaviors by panhandlers.

The text of the proposed amendments is attached.

****Please complete the following fields:** *(Incomplete fields may result in a delay in processing. If a field is not applicable, please enter N/A for that field – please do not leave blank.)*

- a. **Contract Control Number:** N/A
- b. **Contract Term:** N/A
- c. **Location:** City-wide
- d. **Affected Council District:** All
- e. **Benefits:** Proposed amendments will bring city laws into constitutional compliance.

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Date Entered: _____

f. **Contract Amount (indicate amended amount and new contract total):** N/A

7. Is there any controversy surrounding this ordinance? (Groups or individuals who may have concerns about it?) Please explain.

Panhandling laws are often controversial. Various stakeholders in the city, especially in downtown Denver, have advocated in favor of stricter panhandling laws for many years, in order to increase the sense of safety and security on downtown streets and sidewalks, particularly in areas that are highly trafficked by tourist and visitors. On the other hand, some groups criticize panhandling laws as being unfair to poor and homeless persons. Civil libertarians have regularly filed legal challenges to panhandling laws that they believe violate First Amendment rights.

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