

**THE CITY OF OKLAHOMA CITY
OFFICE OF
THE MUNICIPAL COUNSELOR**

Council Agenda
Item No. XI.A.
9/15/2015

TO: Mayor and City Council

FROM: Kenneth Jordan, Municipal Counselor

Ordinance to be introduced, set for public hearing September 29, 2015, and final hearing October 13, 2015, relating to Motor Vehicles and Traffic; amending Chapter 32, Article I, Section 32-1 of the Oklahoma City Municipal Code, 2010, to include a definition for "median;" amending Article XIII, Section 32-458 Pedestrians soliciting rides, business or donations from vehicle occupants, to include medians within the areas where such solicitations are prohibited and to repeal the exception for soliciting from occupants of vehicles contained in subsection 32-458(c).

Mayor Cornett, Councilmembers Greiner, McAtee, White, Greenwell, Salyer, Pettis and Stonecipher

Purpose The Municipal Counselor's Office prepared the attached ordinance at the request of Mayor Cornett, Councilmembers Greiner, McAtee, White, Greenwell, Salyer, Pettis and Stonecipher. This amendment, if passed, will prohibit pedestrian solicitations within road medians and in the roadways.

Background City staff and citizens have expressed increasing concerns relating to pedestrian solicitors who station themselves in the medians and along the streets of the city, asking for donations. These solicitation activities pose a risk both to the solicitors, who must move into traffic lanes to accept some donations, and to the motoring public, who are at risk of striking these pedestrian solicitors who have inserted themselves into the traffic flow. Additionally, staff and citizens have expressed concerns relating to the interference of these pedestrian solicitation activities with the normal flow of traffic, especially during peak driving periods.

In response to these concerns, the Municipal Counselor has conducted research into what restrictions may be applied to these pedestrian solicitation activities that would preserve the safety of both the solicitors and the motoring public while also preserving the constitutional rights of those conducting these activities. It is the opinion of this office that the ordinance presented accomplishes both of these goals.

Review Municipal Counselor's Office

Recommendation: Ordinance be introduced, set for public hearing September 29, 2015 and final hearing October 13, 2015.