

Unlawful Conduct on Public Sidewalks:

What is considered lawful and unlawful behavior on public sidewalks, and what remedies exist?

Conduct on a public sidewalk:

There are actions that are against public law in any public areas and these also apply to public sidewalks (drinking alcohol in public, drugs, noise ordinance violations, etc).

Examples of legal behavior on a public sidewalk under current City ordinances:

- Sitting, laying or sleeping on a public sidewalk so long as the individual is not completely blocking the sidewalk (in general, this means at least 4 feet of unobstructed sidewalk)
- Sitting, laying or sleeping on a bench
- Various First Amendment protections:
 - Soliciting money, subject to certain restrictions
 - Non-solicitation zone south of 4th Street around Fox Theatre
 - Within 15 feet of a building entry or exit, paid parking payment machine, automatic teller, etc or "aggressive solicitation" - continuing to solicit after being refused by word or gesture, etc.
(See *Solicitation Fact Sheet*)
- Labor union pickets and other protests
- Behaving in any fashion, however unusual, that is not deemed an imminent threat to persons or property

Homelessness is a complex social problem, one not easily addressed by a law enforcement approach. Homelessness is not a crime, but certain types of conduct are.

If you see activity in Midtown that concerns you, call Midtown Blue at 404-817-0500