

CITY OF RIVERVIEW
PROPOSED ORDINANCE NO.703

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES FOR THE CITY OF RIVERVIEW BY THE ADDITION OF SECTION 38-163 “INTERFERENCE WITH MOTOR VEHICLES ON PUBLIC STREETS,” OF ARTICLE V “OFFENSES INVOLVING PUBLIC PEACE AND ORDER,” IN CHAPTER 38 “OFFENSES AND MISCELLANEOUS PROVISIONS,” TO COMPLY WITH STATE LAW.

THE CITY OF RIVERVIEW ORDAINS:

ARTICLE I: AMENDMENT: That Section 38-163 “Interference with Motor Vehicles on Public Streets” under Chapter 38 “Offenses and Miscellaneous Provisions,” Article V, “Offenses Involving Public Peace and Order,” is hereby added as follows:

Chapter 38 Offenses and Miscellaneous Provisions
Article V Offenses Involving Public Peace and Order

Sec. 38-163. Interference with motor vehicles on public streets.

- (a) A person without authority shall not block, obstruct, impede, or otherwise interfere with the normal flow of vehicular or pedestrian traffic upon a public street or highway, by means of a barricade, object, or device, or with his or her person. It shall be unlawful for any person, without authority, to receive or to attempt to receive money or any other object or thing from an occupant of a motor vehicle that is operating on a public street; provided, however, that this subsection shall not apply to services rendered by emergency responders or repairs requested by an occupant of the motor vehicle, or to persons maintaining, rearranging, or constructing public utility facilities in or adjacent to a street or highway.
- (b) Subsection (a) does not apply to a person who is soliciting contributions on behalf of a charitable or civic organization during daylight hours, if all of the following are satisfied:
 - (1) The charitable or civic organization obtains a permit from the city to solicit.
No more than one permit will be issued for the same time period on any street.
 - (2) The charitable or civic organization maintains at least \$500,000.00 in liability insurance.
 - (3) The person is 18 years of age or older.
 - (4) The person is wearing high-visibility safety apparel that meets current American standards promulgated by the International Safety Equipment Association.
 - (5) The portion of the roadway upon which the solicitation occurs is not a work zone and is within an intersection where traffic control devices are present.

- (c) The city is not liable for any claim for damages arising out of the use of the roadway for the permitted solicitation.
- (d) As used in this section, "charitable or civic organization" means a nonprofit organization that is qualified under Section 501(c) (3), 501(c) (4), 501(c) (7), 501(c) (8), or 501(c) (10), of the Internal Revenue Code, 26 USC 501, or a veterans' organization that has tax-exempt status under the Internal Revenue Code.
- (e) A person who violates this section shall be responsible for a municipal civil infraction and a civil fine in an amount not to exceed \$500.00 plus costs shall be paid by a defendant who is responsible for each violation.

ARTICLE II. Penalty: A person violating this ordinance shall be punished in accordance with Section 1-8 of the Code of Ordinances of the City of Riverview, unless a different penalty is expressly provided in this ordinance.

ARTICLE III. Severability: Should any word, sentence, phrase or any portion of this Ordinance be held in a manner invalid by any Court of competent jurisdiction or by any agency having authority to do so for any reason whatsoever, such holding shall be construed and limited to such word, sentence, phrase or any portion of the Ordinance held to be invalid and shall not be construed as affecting the validity of any remaining words, sentence, phrases or portions of the Ordinance.

ARTICLE IV. Conflicting Ordinances: All prior existing ordinances adopted by the City of Riverview inconsistent or in conflict with the provisions of this Ordinance are, to the extent of such conflict or inconsistency, hereby expressly repealed.

ARTICLE V. Reading and Publication: This Ordinance shall be given a first reading on June 4, 2018, shall be given a second reading on June 18, 2018, shall be adopted on June 18, 2018, and shall be published and become effective upon publication. The Clerk shall publish a summary of this ordinance and include in the publication notice that a true copy of the Ordinance can be inspected or obtained at the Clerk's office.

ADOPTED, APPROVED AND PASSED by the City Council of the City of Riverview this June 18, 2018.

The undersigned hereby certifies that the foregoing is a true and accurate copy of the ordinance adopted by the City Council of the City of Riverview at a regular meeting held on June 18, 2018.

Cynthia M. Hutchison
City Clerk