

1 AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA,  
2 RELATING TO SOLICITATION; AMENDING THE CODE  
3 OF THE CITY OF ORLANDO, FLORIDA AS FOLLOWS:  
4 AMENDING SECTION 36.20, INCORPORATING  
5 EXEMPTIONS; REPEALING SECTION 43.86, ENTITLED  
6 “PANHANDLING” AND SECTION 43.87, ENTITLED  
7 “SOLICITATION AND OFF-PREMISES CANVASSING ON  
8 PUBLIC PROPERTY IN THE DOWNTOWN CORE  
9 DISTRICT”; AMENDING SECTION 43.88, PROVIDING  
10 FOR A DEFINITION OF “DOWNTOWN CORE  
11 DISTRICT”; AMENDING SECTION 45.02, RELATING TO  
12 OFF-PREMISE CANVASSING; AMENDING SECTION  
13 51.02, EXEMPTING FIRST AMENDMENT ACTIVITY  
14 FROM REGISTRATION REQUIREMENTS; REPEALING  
15 SECTION 51.06, ENTITLED “CHARITABLE  
16 SOLICITATIONS IN THE PUBLIC RIGHT-OF-WAY;  
17 AMENDING AND RENUMBERING SECTIONS 51.06-1,  
18 RELATING TO DEFINITIONS, AGGRESSIVE  
19 SOLICITATION, AND IDENTIFICATION OF  
20 SOLICITORS; REPEALING SECTION 51.07, ENTITLED  
21 “ARTICLE NOT APPLICABLE TO CHURCHES OR  
22 RELIGIOUS SOCIETIES UNDER CERTAIN  
23 CONDITIONS”; AND RENUMBERING SECTION 51.08,  
24 ENTITLED “PENALTY”; PROVIDING FOR  
25 SEVERABILITY, CODIFICATION, CORRECTION OF  
26 SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.  
27

28 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORLANDO,  
29 FLORIDA:

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31 WHEREAS, The City Council is dedicated to ensuring that the constitutional speech of  
32 all its citizens and visitors is able to be expressed in a safe and prudent manner while maintaining  
33 a vibrant, growing community; and  
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35 WHEREAS, citizens have a right to be free from expressive activity which is unduly  
36 invasive; and  
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38 WHEREAS, aggressive solicitation techniques reasonably put citizens and visitors to  
39 Orlando in fear of harm from the solicitor and leave them captive to repeated, unwanted  
40 solicitations.  
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42 SECTION ONE: SECTION 36.20, AMENDED. Section 36.20, Code of the City of  
43 Orlando, Florida, is hereby amended as follows:  
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46  
47 **Sec. 36.20. - Charitable Solicitation.**  
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49 No Business Tax Receipt shall be issued for any person, directly or indirectly to solicit  
50 money, donations of money, property or financial assistance of any kind or to sell or offer  
51 for sale any article, tag, service, emblem, publication, ticket, advertisement subscription,  
52 or anything of value on the plea or representation that such solicitation or sale, or the  
53 proceeds thereof, is for a charitable, patriotic, public, or philanthropic purpose. Persons  
54 desiring to engage in such solicitation in the City must obtain a Solicitor's permit as  
55 provided in Chapter 51, City Code, unless otherwise exempt.  
56

57 **SECTION TWO: SECTION 43.86, REPEALED.** Section 43.86, Code of the City of  
58 Orlando, Florida, is hereby repealed in its entirety and reserved for future use.  
59

60 **Sec. 43.86. — Panhandling.**  
61

- 62 1. ~~Definition.~~ "Panhandling" is any solicitation made in person, requesting an immediate  
63 donation of money or other thing of value. Purchase of an item for an amount far  
64 exceeding its value, under circumstances where a reasonable person would understand  
65 that the purchase is, in substance, a donation, is a donation for the purpose of this section.  
66 Except as specifically provided in this section, panhandling does not include passively  
67 standing or sitting with a sign or other indication that one is seeking donations, without  
68 addressing any solicitation to any specific person other than in response to an inquiry by  
69 that person.
- 70 2. ~~Place of Panhandling—Violation.~~ It shall be unlawful for any person to panhandle, and  
71 no registration issued under this section shall be deemed to allow panhandling, including  
72 passively standing or sitting with a sign or other indication that one is seeking donations,  
73 when the person solicited is in any of the following places within the City limits of  
74 Orlando, Florida:  
75 a. — At any bus or train stop;  
76 b. — In any public transportation vehicle or facility, excluding airports;  
77 c. — In any vehicle on the street;  
78 d. — In a public park, fairground, or sporting facility, including entry ways or exits  
79 thereto;  
80 e. — Within 15 feet of the site of any automated teller machine (ATM);  
81 f. — On private property, unless the panhandler has permission from the owner or  
82 occupant;  
83 g. — In a parking lot or garage owned or operated by the City of Orlando, including  
84 entryways or exits and pay stations connected therewith; or  
85 h. — On public property in the Downtown Core District as defined in Section 43.87 of  
86 the City Code of Orlando, unless the solicitor is within an exempt zone, or  
87 otherwise authorized by Section 43.87.
- 88 3. ~~Manner of Panhandling—Violation.~~ It shall be unlawful for any person to panhandle in  
89 any of the following manners:  
90 a. — By blocking the path of the person solicited;

- 91 b. ~~By using profane or abusive language, either during the solicitation or following a~~  
92 ~~refusal;~~  
93 c. ~~By panhandling in a group of two or more persons; or~~  
94 d. ~~By any statement, gesture, or other communication which a reasonable person in~~  
95 ~~the situation of the person solicited would perceive to be a threat.~~

96 ~~4. *False or Misleading Solicitation Violation.*~~

- 97 a. ~~It shall be unlawful for any person to knowingly make any false or misleading~~  
98 ~~representation in the course of soliciting a donation. False or misleading~~  
99 ~~representations include, but are not limited to, the following:~~  
100 i. ~~Stating that the donation is needed to meet a specific need, when the~~  
101 ~~solicitor already has sufficient funds to meet that need and does not~~  
102 ~~disclose that fact;~~  
103 ii. ~~Stating that the donation is needed to meet a need which does not exist;~~  
104 iii. ~~Stating that the solicitor is from out of town and stranded, when such is~~  
105 ~~not true;~~  
106 iv. ~~Wearing a military uniform or other indication of military service, when~~  
107 ~~the solicitor is neither a present nor former member of the service~~  
108 ~~indicated;~~  
109 v. ~~Wearing or displaying an indication of physical disability, when the~~  
110 ~~solicitor does not suffer the disability indicated;~~  
111 vi. ~~Use of any makeup or device to simulate any deformity; or~~  
112 vii. ~~Stating that the solicitor is homeless, when he or she is not.~~  
113 b. ~~It shall be unlawful for any person to solicit a donation stating that the funds are~~  
114 ~~needed for a specific purpose and then spend the funds received for a different~~  
115 ~~purpose.~~

116 ~~5. *Time of Panhandling.*~~

- 117 a. ~~It is unlawful for any person to panhandle, as defined in this Chapter, in the City~~  
118 ~~limits of Orlando, on any day after sunset or before sunrise.~~

120 **SECTION THREE: SECTION 43.87, REPEALED.** Section 43.87, Code of the City  
121 of Orlando, Florida, is hereby repealed in its entirety and reserved for future use.

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123 **~~Sec. 43.87. — Solicitation and Off-Premises Canvassing on Public Property in the~~**  
124 **~~Downtown Core District of Orlando, Florida.~~**

- 125  
126 ~~1. *Definitions.* The following words, terms and phrases, when used in this Section, shall~~  
127 ~~have the following meanings ascribed to them, except where the context clearly indicates~~  
128 ~~a different meaning:~~

- 129 a. ~~"Solicitation" means person to person communication which, directly or~~  
130 ~~indirectly:~~  
131 ~~1. seeks a present donation of money or other thing of material value, or~~  
132 ~~2. is panhandling as defined in Section 43.86(1) or charitable solicitation as~~  
133 ~~defined in Section 51.01 of the City Code.~~  
134 b. ~~"Off premises canvassing" means person to person distribution on public~~  
135 ~~property of written, printed, drawn, or illustrated matter, in whatever format,~~  
136 ~~advertising or promoting a business or business activity, including, without~~

137 limitation, handbill, circular, dodger, pamphlet, paper, booklet, sample or device.  
138 It does not include newspapers or other printed matter contained in receptacles.

139 e. ~~"Business" means any commercial establishment, service or activity operated for~~  
140 ~~financial gain.~~

141 d. ~~"Public property" means any street, alley, highway, parking lot, sidewalk, garage,~~  
142 ~~park, plaza, building, ground, or other property owned or controlled by the City of~~  
143 ~~Orlando, or any portion thereof.~~

144 e. ~~"Downtown Core District" means an area in the City of Orlando, Florida~~  
145 ~~described as:~~

146  
147 ~~Begin at a point on South Parramore Avenue lying 50 feet south of the West~~  
148 ~~Church Street roadway, thence run north along South Parramore Avenue to a~~  
149 ~~point lying fifty feet north of the West Church Street roadway, thence run east~~  
150 ~~along a line lying fifty feet north of the West Church Street roadway to South~~  
151 ~~Hughey Avenue, thence run north along South Hughey Avenue to North Hughey~~  
152 ~~Avenue, thence continue running north along North Hughey Avenue to West~~  
153 ~~Robinson Street, thence run west along West Robinson Street to North Parramore~~  
154 ~~Avenue, thence run north along North Parramore Avenue to West Concord Street,~~  
155 ~~thence run east along West Concord Street to Putman Avenue, thence run north~~  
156 ~~along Putnam Avenue to West Colonial Drive, thence run east along West~~  
157 ~~Colonial Drive to North Hughey Avenue, thence run south along North Hughey~~  
158 ~~Avenue to West Amelia Street, thence run east along West Amelia Street to East~~  
159 ~~Amelia Street, thence continue running east along East Amelia Street to North~~  
160 ~~Rosalind Avenue, thence run south along North Rosalind Avenue to South~~  
161 ~~Rosalind Avenue, thence continue running south along South Rosalind Avenue to~~  
162 ~~East Anderson Street, thence run west along East Anderson Street to West~~  
163 ~~Anderson Street, thence continue running west along West Anderson Street to~~  
164 ~~South Division Avenue, thence run north along South Division Avenue to a point~~  
165 ~~lying fifty feet south of the West Church Street roadway, thence run west along a~~  
166 ~~line lying fifty feet south of the West Church Street roadway to South Parramore~~  
167 ~~Avenue and the point of beginning, including the sidewalks and rights-of-way~~  
168 ~~abutting all said streets.~~

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170 f. ~~"Exempt Zones" means those portions of public property within, or on the~~  
171 ~~boundary of, the Downtown Core District specifically excluded from the~~  
172 ~~prohibitions of Section 43.87(2). The size, number and location of Exempt Zones~~  
173 ~~shall be determined by (1) a Resolution adopted by City Council, or (2) an~~  
174 ~~Exempt Zone Location Order issued in accordance with guidelines established by~~  
175 ~~Resolution adopted by City Council. Maps showing the location of the Downtown~~  
176 ~~Core District and Exempt Zones shall be made available at the City Clerk's Office~~  
177 ~~and Orlando Police Headquarters. The size and location of Exempt Zones shall be~~  
178 ~~clearly marked on the public property. If the size or location of an Exempt Zone~~  
179 ~~as shown on the map differs in any manner from the Exempt Zone as marked on~~  
180 ~~the public property, the Exempt Zone as marked on the public property shall~~  
181 ~~control. Exempt Zones that are part of public property leased, permitted or~~

182 otherwise contracted to third parties by the City shall lose their exempt status  
183 during the term of the lease, permit or contract.

184 ~~2. Prohibitions.~~

185 a. ~~Off Premises Canvassing:~~ It is unlawful for any person to conduct off premises  
186 canvassing on public property in the Downtown Core District, unless:

- 187 1. ~~Operating within and pursuant to a current franchise, concession contract,~~  
188 ~~permit or agreement with the City of Orlando for the use of the public~~  
189 ~~property in question; or~~
- 190 2. ~~Operating a transportation service otherwise permitted by this Code or~~  
191 ~~State law; or~~
- 192 3. ~~Incidental to route, delivery, service, supply or repair persons responding~~  
193 ~~to service calls and operating from clearly identifiable vehicles; or~~
- 194 4. ~~The off premise canvassing occurs in a designated exempt zone, as~~  
195 ~~defined herein.~~

196 b. ~~Solicitation:~~ It is unlawful to conduct solicitation, as defined herein, or for  
197 charitable purposes as defined in Section 51.01 of the City Code or panhandling  
198 purposes as defined in Section 43.86(1) of the City Code on public property in the  
199 Downtown Core District, unless:

- 200 1. ~~The solicitation or panhandling is conducted in a designated exempt zone,~~  
201 ~~as defined herein, or~~
- 202 2. ~~The solicitation falls within a recognized, constitutionally guaranteed~~  
203 ~~exercise of religion, press, or noncommercial speech, where money is not~~  
204 ~~solicited for a present donation or exchange.~~

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206 Presence and conduct in an exempt zone is subject to all other regulations  
207 provided for in the Code of the City of Orlando, such as, without  
208 limitation, noise, camping, blocking passage, licensing and permitting.  
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210 3. ~~Penalties.~~ Any person who violates any of the provisions of Section 43.87 shall be  
211 subject to the penalties provided for in Section 1.08 of the City Code.

212 e. ~~Time of Panhandling.~~ It is unlawful to panhandle, as defined in Section 43.86 of  
213 the City Code, on any day after sunset or before sunrise in the Downtown Core  
214 District, including within designated Exempt Zones.  
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216 **SECTION FOUR: SECTION 43.88, AMENDED. Section 43.88, Code of the City of**  
217 **Orlando, Florida, is hereby amended as follows:**

218  
219 **Sec. 43.88. - Sitting/Lying on Sidewalks in the Downtown Core District Prohibited.**

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221 (1) *Definitions.*

222 *Sidewalk* - An improved walkway intended primarily for pedestrians, usually  
223 running parallel to one or both sides of the pavement of a street and public transit  
224 waiting areas located within the public right-of-way.

225 *Downtown Core District* - An area in the City of Orlando, Florida described as:  
226 Begin at a point on South Parramore Avenue lying 50 feet south of the West Church  
227 Street roadway, thence run north along South Parramore Avenue to a point lying fifty

228 feet north of the West Church Street roadway, thence run east along a line lying fifty  
229 feet north of the West Church Street roadway to South Hughey Avenue, thence run  
230 north along South Hughey Avenue to North Hughey Avenue, thence continue running  
231 north along North Hughey Avenue to West Robinson Street, thence run west along  
232 West Robinson Street to North Parramore Avenue, thence run north along North  
233 Parramore Avenue to West Concord Street, thence run east along West Concord  
234 Street to Putman Avenue, thence run north along Putnam Avenue to West Colonial  
235 Drive, thence run east along West Colonial Drive to North Hughey Avenue, thence  
236 run south along North Hughey Avenue to West Amelia Street, thence run east along  
237 West Amelia Street to East Amelia Street, thence continue running east along East  
238 Amelia Street to North Rosalind Avenue, thence run south along North Rosalind  
239 Avenue to South Rosalind Avenue, thence continue running south along South  
240 Rosalind Avenue to East Anderson Street, thence run west along East Anderson  
241 Street to West Anderson Street, thence continue running west along West Anderson  
242 Street to South Division Avenue, thence run north along South Division Avenue to a  
243 point lying fifty feet south of the West Church Street roadway, thence run west along  
244 a line lying fifty feet south of the West Church Street roadway to South Parramore  
245 Avenue and the point of beginning, including the sidewalks and rights-of-way  
246 abutting all said streets.

247 (2) *Prohibition.* It is unlawful for any person, after having been notified by a law  
248 enforcement officer of the prohibition in this section, to sit or lie down upon a  
249 public sidewalk or upon a blanket, chair, stool, or any other object placed upon a  
250 public sidewalk, in the Downtown Core District, ~~as defined in Section 43.87 of~~  
251 ~~the City Code.~~

252 (3) *Affirmative Defenses.* It is an affirmative defense to the prohibition in this section  
253 if it is shown that:

- 254 (a) Sitting or lying down on a public sidewalk is due to a medical emergency;  
255 or  
256 (b) As a result of age, infirmity or disability a person utilizes a wheelchair,  
257 walker, stroller, or similar device to move about a public sidewalk; or  
258 (c) The person is operating or patronizing a commercial establishment  
259 conducted on the public sidewalk pursuant to a street use or similar  
260 permit: or a person participating in or attending a parade, festival,  
261 performance, rally, demonstration, meeting or similar event conducted on  
262 a public sidewalk pursuant to a street use or other applicable permit; or  
263 (d) The person is sitting on a chair or bench located on the public sidewalk  
264 which is supplied by a public or private agency or by the abutting private  
265 property owner; or  
266 (e) The sitting or lying is while waiting in an orderly line for entry to any  
267 building, including shelters, or awaiting social services such as provision  
268 of meals; or outside a box office to purchase tickets to any sporting event,  
269 concert, performance, or other special event; or  
270 (f) The sitting or lying is an integral part of a planned, publicized protest by  
271 ten (10) or more people accompanied by incidents of speech such as signs  
272 and literature explaining the protest, for which proper city permits have  
273 been obtained.

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276 **SECTION FIVE: SECTION 45.02, AMENDED. Section 45.02, Code of the City of**  
277 **Orlando, Florida, is hereby amended as follows:**  
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279 **Sec. 45.02. - Prohibitions.**  
280

281 (1) It is unlawful for any individual solicitor, agent or peddler as defined in this  
282 Chapter to:

- 283 (a) Enter the premises of a private resident for the purpose of selling or  
284 soliciting orders for goods, wares or merchandise, personal services or  
285 information when a "No Solicitors" sign is posted;  
286 (b) Remain upon any residential premises after the owner occupant requests  
287 the solicitor to depart;  
288 (c) Conduct business between 5:00 p.m. and 9:00 a.m. or at any time on  
289 Sundays;  
290 (d) To approach back or rear doors or the sides or rear of residential premises;  
291 (e) To refuse or fail to exhibit his solicitor's permit identification card upon  
292 request by any law enforcement officer or citizen solicited;  
293 (f) Intentionally make any physical contact with or touch the person solicited  
294 without that person's consent;  
295 (g) Block the free passage of the person being solicited;  
296 (h) Intentionally approach in such a manner or use obscene or abusive  
297 language or gestures intended to or likely to cause a reasonable person to  
298 be intimidated into responding affirmatively to the solicitation.  
299 ~~(i) Conduct off premises canvassing, as defined in Section 43.87(1) of the~~  
300 ~~City Code, on public property in the Downtown Core District, as defined~~  
301 ~~in Section 43.87(1) of the City Code unless the solicitor is located in a~~  
302 ~~designated exempt zone, or otherwise authorized by Section 43.87 of the~~  
303 ~~City Code.~~

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306 **SECTION SIX: SECTION 51.02, AMENDED. Section 51.02, Code of the City of**  
307 **Orlando, Florida, is hereby amended as follows:**  
308

309 **Sec. 51.02. - Exemptions from Registration Requirements.**  
310

311 Notwithstanding the provisions of Section 51.01, registration shall not be required  
312 in connection with a solicitation, sale or offer for sale where such activity:

- 313 (1) Is conducted by an organization within its own membership.  
314 (2) Is conducted by a school, college, or university or by some  
315 organization sponsored by or affiliated with such school, college,  
316 or university.  
317 (3) Is conducted by a governmental agency acting within the scope of  
318 its governmental authority.

- 319 (4) Is conducted by a candidate for election pursuant to Florida  
320 Statutes.  
321 (5) Is a constitutionally guaranteed exercise of First Amendment  
322 rights.  
323

324 **SECTION SEVEN: SECTION 51.06, REPEALED. Section 51.06, Code of the City**  
325 **of Orlando, Florida, is hereby repealed in its entirety.**  
326

327 **~~Sec. 51.06. Charitable Solicitations in the Public Right-of-Way Prohibited.~~**  
328

329 ~~It is unlawful for any person directly or indirectly, to solicit or attempt to solicit~~  
330 ~~money, donations of money, property or financial assistance of any kind, or to sell~~  
331 ~~or offer for sale any article, tag, service, emblem, publication, ticket,~~  
332 ~~advertisement, subscription, or any thing of value on the pleas or representation~~  
333 ~~that such solicitation or sale, or proceeds thereof, is for a charitable, patriotic,~~  
334 ~~public, philanthropic or political purpose, from, in, or on public roads, streets,~~  
335 ~~medians, or safety zones or, while located on a City sidewalk or adjacent road~~  
336 ~~right of way, to solicit or attempt to solicit money, donations of money, property~~  
337 ~~or financial assistance of any kind, or to sell or offer for sale any article, tag,~~  
338 ~~service, emblem, publication, ticket, advertisement, subscription, or any thing of~~  
339 ~~value on the pleas or representation that such solicitation or sale, or proceeds~~  
340 ~~thereof, is for a charitable, patriotic, public, philanthropic, or political purpose~~  
341 ~~from vehicles in the adjacent City, county, or state roadways. If a public road or~~  
342 ~~street has been closed pursuant to section 39.08(17) of this Code, such sales or~~  
343 ~~solicitations may be permitted upon specific approval of the Council. Commercial~~  
344 ~~solicitations and sales on public right-of-way are governed by section 54.27-1 of~~  
345 ~~this Code. Sales on other public property are governed by section 43.85 of this~~  
346 ~~Code.~~

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348 **SECTION EIGHT: SECTION 51.06-1, AMENDED AND RENUMBERED. Section**  
349 **51.06-1, Code of the City of Orlando, Florida, is hereby amended and renumbered as**  
350 **follows:**  
351

352 **Sec. 51.06-1. - Prohibitions.**  
353

354 (1) *Definitions.*

- 355 (a) “Harass” means to make any threats or demands that place the  
356 person solicited in reasonable fear of harm to his or her person or  
357 damage to his or her property.  
358 (b) "Solicit" means to directly or indirectly request or attempt to  
359 request by spoken, written or printed word, money, donations of  
360 money, property or financial assistance of any kind, or to sell or  
361 offer for sale any article, tag, service, emblem, publication, ticket,  
362 advertisement, subscription or any thing of value on the pleas or  
363 representation that such solicitation or sale, or the proceeds



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thereof, is for a charitable, patriotic, public, philanthropic or political purpose.

- (c) “Vehicle” means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

~~(2) *Place of Solicitation—Violation.* It is unlawful for any person to solicit, and no permit issued under this Chapter shall be deemed to allow solicitation, when the person solicited is in any of the following places within the City limits of Orlando, Florida:~~

- ~~(a) — At any bus or train stop;~~
- ~~(b) — In any public transportation vehicle or facility;~~
- ~~(c) — In any vehicle on the street;~~
- ~~(d) — In any fairground or sporting facility, including entry ways or exits thereto;~~
- ~~(e) — Within 15 feet of the site of any;~~
- ~~(f) — On private property, unless the solicitor has written permission from the owner or occupant;~~
- ~~(g) — On public property in the Downtown Core District, as defined in Section 43.87 of the City Code of Orlando, unless the solicitor is located within a designated exempt zone or otherwise authorized by Section 43.87.~~

~~(32) *Aggressive Solicitation—Violation.* It is unlawful for any person to intentionally solicit in any of the following manners:~~

- ~~(a) — By making physical contact with or touching the person solicited, without that person's consent;~~
- ~~(b) — By blocking the path of the person solicited;~~
- ~~(c) — By using profane or abusive language; either during the solicitation or following a refusal;~~
- ~~(d) — By soliciting in a group of two or more persons; or~~
- ~~(e) — By any statement, gesture, or other communication which a reasonable person in the situation of the person solicited would perceive to be a threat.~~
- (a) By blocking any legal parking area or structure such that vehicles cannot enter or exit that parking area.
- (b) By harassing the person solicited.
- (c) By following an individual or group of persons with the intent to harass that individual or group.
- (d) By continuing to actively solicit a captive audience after receiving a clear refusal.
- (e) By soliciting an individual while that person is operating an automated teller machine (ATM).
- (f) By entering the premises of private property for the purpose of soliciting when a "No Solicitors" sign is posted.

- 409 (43) *False or Misleading Solicitation—Violation.* It is unlawful for any person  
410 to knowingly and intentionally make any false or misleading representations in  
411 the course of soliciting a donation. False or misleading representations include,  
412 but are not limited to, the following:
- 413 (a) Stating that the contribution is needed to meet a need which does  
414 not exist;
  - 415 (b) Use of any makeup, clothing or device to simulate any deformity,  
416 handicap or disability that does not exist;
  - 417 (c) Representations or misleading statements that any other person or  
418 organization sponsors or endorses such solicitation, approves its  
419 purpose, or is connected therewith, when that person or  
420 organization has not given written consent to the use of its name;
  - 421 (d) Use of any name, symbol, emblem, device, or printed matter so  
422 closely related or similar to that used by another charitable  
423 organization or sponsor that the use thereof would mislead the  
424 public; or
  - 425 (e) Using or exploiting the fact of registration so as to lead any person  
426 to believe that such registration in any manner constitutes an  
427 endorsement or approval by the City.
- 428 (54) *Expenditure of Funds Solicited—Violation.* It is unlawful for any person to  
429 solicit a contribution stating that the funds are needed for a specific purpose ~~and~~  
430 then with the intent to spend or distribute the funds received for a different  
431 purpose.
- 432 ~~(6) *Identification of Solicitor, Organization and Purpose—Violation.* Prior to~~  
433 ~~engaging in any form of solicitation, including delivering any literature, gift or~~  
434 ~~item of any kind or seeking a donation or payment from the person being~~  
435 ~~solicited, a solicitor shall announce to the person being solicited: the true identity~~  
436 ~~of the solicitor; the true identity of the organization he/she is soliciting for;~~  
437 ~~whether he/she has a City of Orlando solicitor's permit; and the specific purpose~~  
438 ~~for which the funds solicited will be used. Failure to do so or intentional~~  
439 ~~misrepresentation of any such fact is unlawful and punishable as provided~~  
440 ~~in Section 1.08 of the Code of the City of Orlando.~~

442 **SECTION NINE: SECTION 51.07, REPEALED. Section 51.07, Code of the City of**  
443 **Orlando, Florida, is hereby repealed in its entirety.**

444 ~~**Sec. 51.07. Article Not Applicable to Churches or Religious Societies under Certain**~~  
445 ~~**Conditions.**~~

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448 ~~Nothing in this article shall be construed as being applicable to any church or~~  
449 ~~religious society organized and operating exclusively for religious purposes and not~~  
450 ~~operated for the pecuniary profit of any person, if the solicitations by such established~~  
451 ~~church or religious society are conducted among the members thereof by other~~  
452 ~~officers or members thereof voluntarily and without remuneration for making such~~  
453 ~~solicitation, or if the solicitations are in the form of collections or contributions at the~~  
454 ~~regular assemblies or services of any such established church or religious society.~~

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**SECTION TEN: SECTION 51.08, RENUMBERED. Section 51.08, Code of the City of Orlando, Florida, is hereby renumbered as follows:**

**Sec. 51.087. - Penalty.**

Any person violating any of the provisions of this article shall, upon conviction, be punished as provided in Section 1.08 of this Code.

**SECTION ELEVEN: SEVERABILITY.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

**SECTION TWELVE: CODIFICATION.** The City Clerk and the City Attorney shall cause the Code of the City of Orlando, Florida, to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

**SECTION THIRTEEN: SCRIVENER'S ERROR.** The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

**SECTION FOURTEEN: EFFECTIVE DATE.** This ordinance takes effect immediately upon final passage.

ADVERTISED on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ FIRST TIME on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

READ SECOND TIME AND ADOPTED on the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF ORLANDO, FLORIDA

\_\_\_\_\_  
Buddy Dyer, Mayor

ATTEST:

\_\_\_\_\_  
Denise Aldridge, City Clerk

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APPROVED AS TO FORM AND LEGALITY  
For the use and reliance of the  
City of Orlando, Florida, only.

\_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
City Attorney/Assistant City Attorney  
Orlando, Florida

\_\_\_\_\_  
Printed Name