



PUBLIC SAFETY COMMITTEE MEETING

MONDAY, NOVEMBER 1, 2021 | 6 PM

2nd committee meeting

The Committee will meet in Mauldin City Hall at 5 East Butler Road in the Council Chambers at 6 p.m.

The meeting will be available remotely through Zoom. Please visit the City's website at <https://cityofmauldin.org/your-government/meeting-minutes-agendas/> to access the meeting via audio and videoconferencing.

**PUBLIC SAFETY COMMITTEE MEETING
NOVEMBER 1, 2021, 6PM
CITY HALL - COUNCIL CHAMBERS
5 E. BUTLER ROAD**

Committee Members: Carol King (Chair), Dale Black, and Jason Kraeling

- | | |
|--|--------------------------|
| 1. <u>Call to Order</u> | The Honorable Carol King |
| 2. <u>Public Comment</u> | The Honorable Carol King |
| 3. <u>Reading and Approval of Minutes</u> | The Honorable Carol King |
| a. Public Safety Committee Meeting: October 4, 2021
[Pages 3-5] | |
| 4. <u>Reports or Communications from City Officers</u> | The Honorable Carol King |
| a. Fire Chief Brian McHone | |
| i. Budget Review | |
| b. Judge Angela Martin | |
| i. Budget Review | |
| c. Interim Police Chief George Miller | |
| i. Budget Review | |
| 5. <u>Unfinished Business</u> | The Honorable Carol King |
| There is no unfinished business. | |
| 6. <u>New Business</u> | The Honorable Carol King |
| a. Ordinance Amendment – Chapter 28 [Pages 6-17] | |
| 7. <u>Public Comment</u> | The Honorable Carol King |
| 8. <u>Committee Concerns</u> | The Honorable Carol King |
| 9. <u>Adjournment</u> | |

MINUTES
PUBLIC SAFETY COMMITTEE MEETING
OCTOBER 4, 2021, 6PM
CITY HALL - COUNCIL CHAMBERS
5 E. BUTLER ROAD
5th committee meeting

Committee Members: Carol King (Chair), Dale Black, and Jason Kraeling
Others present: Interim Police Chief George Miller, Fire Chief Brian McHone, and City Administrator Brandon Madden. Administrative Judge Angela Martin was present via Zoom.

1. Call to Order- Chairwoman King
2. Public Comment- None
3. Reading and Approval of Minutes
 - a. Public Safety Committee Meeting: September 13, 2021

Motion: Councilman Black made a motion to approve the minutes with Councilman Kraeling seconding.

Vote: The vote was unanimous (3-0).

4. Reports or Communications from City Officers
 - a. Fire Chief Brian McHone
 - i. Budget Review- The department is at 84%.

Chief McHone reported on several items:

There will be two out of town courses attended by a couple of staff members. The courses are paid for by FEMA.

Donaldson Center mutual aid fire training is completed.

A live burn will be done with Belmont Fire Department November 3-5.

The Lieutenant testing process will start on October 13th.

Fire Prevention Week is going on now. The department will be going to schools and daycares.

The department will be touring the Old Hollingsworth building to make sure they know the building layout and where the connections are located.

Councilman Black asked if we still have a mutual aid agreement with Hollingsworth. Chief McHone answered no, there is no fire brigade out there.

- b. Judge Angela Martin
 - i. Budget Review
The department is 8% under budget. Jury trials will be held October 18th-22nd.

- c. Interim Police Chief George Miller
 - i. Budget Review- The department is under budget.

The CALEA review process is this week.
Sgt. Daniel Turner's wife passed away on Friday.

- 5. Unfinished Business- There is no unfinished business.
- 6. New Business

- a. Acceptance of Body Worn Camera Grant- This item is to authorize the acceptance and expenditure of a \$52,092 grant awarded to the Mauldin Police Department by the South Carolina Public Safety Coordinating Council and the South Carolina Department of Public Safety for body worn cameras (BWC) and associated maintenance and storage.

Motion: Councilman Kraeling made a motion to send this item to Council with Councilman Black seconding.

Councilman Black asked if this was for new cameras or replacements. Interim Chief Miller said this is for new cameras and also a server that will eliminate having to make DVDs from property and evidence.

Vote: The vote was unanimous (3-0).

- b. Contract with D&J Productions (Cold Justice)- To approve a contract with D&J Productions (Cold Justice). The episode has been taped and will air in December of this year.

Motion: Councilman Kraeling made a motion to send this item to Council with Councilman Black seconding.

Vote: The vote was unanimous (3-0).

- c. In-Car Video Camera System Use Agreement- The South Carolina Department of Public Safety gives departments across the state in-car video camera systems each year. This year they will be giving the Mauldin Police Department thirteen (13) brand new cameras as a result of the agreement.

We have participated in this program in the past. With the acceptance of this agreement for the cameras, the City will save \$65,000 this year in the Capital Improvement Plan for the purchase and upfit of vehicles. The installation will also be at no cost to the city.

Motion: Councilman Black made a motion to send this item to Council with Councilman Kraeling seconding.

Vote: The vote was unanimous (3-0).

- d. School Resource Officer Agreement- This agreement is for the provision of School Resource Officers at Mauldin High and Mauldin Middle schools.

The City has two agreements with the Greenville County School District for the provision of SROs. The agreement related to this request is for the provision of 3 SROs from the City Police Department – 2 SROs at Mauldin High and 1 SRO at Mauldin Middle. The City also has an agreement with the Greenville County School District for the provision of SROs at Bethel and Mauldin elementary schools. This agreement automatically renews annually.

It is suggested that City Council consider approving the SRO agreement for the provision of SROs at Mauldin High and Mauldin Middle schools and then merge the agreement with the SRO agreement for Bethel and Mauldin elementary schools next year. This will allow for the City to have one agreement with the Greenville County School District for SROs.

Motion: Councilman Black made a motion to send this item to Council with Councilman Kraeling seconding.

Vote: The vote was unanimous (3-0).

- e. Resolution – Construction Manager Contract

Request approval of a Resolution appointing the Cloverleaf Group, LLC as Construction Manager for the construction of a new Fire Station and Police Department Sub-station, and to authorize the Mayor to execute the contract and related documents. A Guaranteed Maximum Price contract will come back to Council at a later date.

Motion: Councilman Black made a motion to send this item to Council with Councilman Kraeling seconding.

Vote: The vote was unanimous (3-0).

- 7. Public Comment- None
- 8. Committee Concerns- None
- 9. Adjournment- Chairwoman King adjourned the meeting at 8:00 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk

PUBLIC SAFETY COMMITTEE

AGENDA ITEM

MEETING DATE: November 1, 2021

AGENDA ITEM: 6a

TO: Public Safety Committee
FROM: City Administrator Brandon Madden
SUBJECT: Ordinance Amendment – Chapter 28

REQUEST

The Committee is being requested to approve an ordinance amending Chapter 28 of the City of Mauldin code of ordinances to provide for the prohibition of the open carry of firearms during pickets and other permitted events on public property and to provide additional regulations regarding the issuance of permits during pickets and other permitted events.

HISTORY/BACKGROUND

As part of the newly enacted South Carolina Open Carry with Training Act (S.C. Code Ann. §23-31-210 et seq.), local governments have the power to prohibit the open carry of firearms during permitted events taking place on public property, including during protests.

While the City recognizes and appreciates the First and Second Amendment rights of its citizens and visitors, the presence of firearms at protests and public events can serve to escalate tensions. The City desires to provide for the prohibition on the open carry firearms during pickets as expressly allowed by S.C. Code § 23-31-520; and, despite the changes being made herein, the right to peacefully protest remains squarely preserved.

ANALYSIS or STAFF FINDINGS

An ordinance amendment is being proposed to enact additional measures that will serve to promote peace and good order during events and, further recognizes the prohibition on open carry as described above is in keeping with the City policy as it pertains to its own buildings and facilities.

FISCAL IMPACT

None.

RECOMMENDATION

It is recommended that the Committee approve ordinance amendment.

ATTACHMENTS

Ordinance amendment

ORDINANCE NUMBER _____ - 2021

AN ORDINANCE AMENDING CHAPTER 28 OF THE CITY OF MAULDIN CODE OF ORDINANCES TO PROVIDE FOR THE PROHIBITION OF THE OPEN CARRY OF FIREARMS DURING PICKETS AND OTHER PERMITTED EVENTS ON PUBLIC PROPERTY AND TO PROVIDE ADDITIONAL REGULATIONS REGARDING THE ISSUANCE OF PERMITS DURING PICKETS AND OTHER PERMITTED EVENTS

WHEREAS, as part of the newly enacted South Carolina Open Carry with Training Act (S.C. Code Ann. §23-31-210 *et seq.*), local governments have the power to prohibit the open carry of firearms during permitted events taking place on public property, including during protests; and,

WHEREAS, while the City recognizes and appreciates the First and Second Amendment rights of its citizens and visitors, the presence of firearms at protests and public events can serve to escalate tensions; and,

WHEREAS, the City desires to provide for the prohibition on the open carry firearms during pickets as expressly allowed by S.C. Code § 23-31-520; and,

WHEREAS, despite the changes being made herein, the right to peacefully protest remains squarely preserved; and,

WHEREAS, the City further desires to limit the open carry of firearms during all other permitted events on public property as expressly allowed by S.C. Code Ann. § 23-31-520; and,

WHEREAS, the City further desires to provide additional regulations regarding the issuance of permits during pickets and other permitted events as set forth herein; and,

WHEREAS, the City believes these additional measures will serve to promote peace and good order during events and, further recognizes the prohibition on open carry as described above is in keeping with the City policy as it pertains to its own buildings and facilities.

NOW THEREFORE, BE IT ORDAINED by the Mayor and the Council of the City of Mauldin, that the City of Mauldin Code of Ordinances, Chapter 28, be amended as follows:

ARTICLE I. IN GENERAL

Secs. 28-1. Enforcement of other laws.

Nothing contained in this article shall prohibit the authority of any other to arrest a person engaged in activity granted under this article, if the conduct of such person violates the laws of the state, provisions of this Code, or other ordinances of the city, or unreasonably obstructs the public streets and sidewalks of the city, or if such person engages in acts that cause or would tend to cause a breach of the peace.

Sections 28-2 to 28-30. Reserved.

**ARTICLE II. PARADES, BLOCK PARTIES, EVENTS, FILMING, PERFORMANCES,
AND PICKETING**

Sec. 28-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Block party means a private outdoor gathering on a public street which involves the closure of a street. This may include games, rides, live or taped music and the distribution of food and beverages.

Event means any festival, concert, bike or foot races, walks, or other announced public gathering upon any public street, right-of-way or property of the city.

Filming means any filming of movies, commercials, documentaries, and other motion pictures, video projects, or commercial photographs.

Parade means a march, ceremony, pageant, or procession of any kind moving upon any public street or sidewalk of the city which does not comply with normal traffic regulations.

Performance means any public presentation, exhibition, fireworks display or appearance.

Picketing means an organized effort to express publicly a point of view at a given place with signs, oral statements, or the like in a systematic manner, which involves walking or standing in the same area for a prolonged period of time.

~~Meeting means any assembly together or concert of action between or among three or more persons for the purpose of protesting any matter or of making known any position or promotion of such persons, or on behalf of any organization or class of persons, or for the purpose of attracting attention to such assembly.~~

~~Parade and procession mean any assemblage of three or more persons participating in, or three or more vehicles being operated in, any march, ceremony, show, exhibition or procession of~~

any kind in or upon the public streets, sidewalks, alleys, parks or other public grounds or places, not including a bona fide funeral procession.

(Code 1994, § 15-26)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 28-32. Permit.

- (a) *Required.* No **block party, event, filming, procession, parade, performance, or picket**¹ shall occupy, march or proceed along any street, sidewalk or any other public place, nor shall any person conduct any **block party, event, filming, parade, performance, or picket** public or private meeting on any street, sidewalk or other public place in the city, except in accordance with a permit issued by the chief of police and such other regulations as are set forth in this article. ~~which may apply.~~ **This section shall not apply to the following: (1) funeral processions supervised by a licensed mortuary and (2) a block party, event, filming, parade, or performance that is hosted by or under the control of the City.**
- (b) *Application; authority of police chief to designate route.* A written application shall be made to the chief of police by any person desiring to have a parade, **block party, event, filming, or performance** procession, or meeting, setting forth the object, time, place and route of the **same**. parade or procession, or the object, time and place of the meeting. The chief of police shall have authority to designate the route of the parade or procession and the portion of the streets or other public places to be used in such a way as to avoid as much as possible the obstruction or impediment of public travel or public business. The chief of police may refuse to issue a permit for a parade, **block party, event, filming, or performance** procession, or meeting, unless application therefor is filed with him at least **thirty** ~~ten~~ days before the time thereof **or unless he or she finds as follows:**
- (1) The conduct of the parade, block party, event, filming, or performance will substantially interrupt the safe and orderly movement of other traffic contiguous to its route.**
 - (2) The conduct of the parade, block party, event, filming, or performance will require the diversion of so great number of police officers of the city to properly police the line of movement and of contiguous areas that adequate police protection can not be provided to the remainder of the city.**
 - (3) The concentration of persons, animals, equipment or vehicles at assembly points or other areas will substantially interfere with adequate fire and police protection of or ambulance service to, areas near such areas, or will hinder the movement of firefighting equipment.**
 - (4) The conduct of the parade, block party, event, filming, or performance is reasonably likely to result in violence to persons or property, causing serious harm to the public.**
 - (5) The route has been requested recurring in the past year and is too disruptive to residents or business; or**

¹ Picketing is specifically addressed in Article III hereof.

(6) Any proposed use of public property, rights-of-way or facilities will interfere with the normal use of the property, right-of-way or facility by the city or the general public.

- (c) The City Administrator may require proof of public liability insurance in an amount equal to the city's liability under the Government Tort Claims Act (S.C. Code 1976, § 15-78-10 et seq.), and require the execution of a hold harmless agreement to indemnify the city in the event is held liable for any injuries or damage as a result of the event.**
- (d) The persons or organization shall be in compliance with all other applicable federal, state, local statutes, ordinances, licenses permits, rules or regulations.**
- (e) The persons or organizations shall also comply with all directives and instructions in verbal or written form from the city administrator, police, fire, public services and parks and recreation personnel.**
- (f) The applicant for a permit shall agree that the open carry of firearms on public property and public right-of-way shall be prohibited during the parade, block party, event filming, or performance. Where the event takes place on public property, including on public right-of-way, the permittee must post signs indicating the open carrying of firearms is prohibited at the event in accordance with S.C. Code §23-31-520.**

(Code 1994, §§ 15-27, 15-28)

Sec. 28-33. Restricted hours.

No parade shall be permitted between the hours of 11:30 a.m. and 1:00 p.m. or between the hours of 5:00 p.m. and 6:00 p.m., local time, and no parade or procession shall commence or continue after sunset or commence before sunrise.

(Code 1994, § 15-29)

Sec. 28-34. Interfering with, addressing abusive language to participants.

It shall be unlawful for any person to physically interfere with **parades, block parties, events, filming, or performances** processions, marches, or meetings, or with the persons lawfully engaged therein in the use of any street, sidewalk or other public place, or to address profane, indecent, abusive or threatening language or other fighting words to or at such participants, which would tend to provoke such participants or others to a breach of the peace.

(Code 1994, § 15-30)

Sec. 28-35. Conduct.

- (a) Generally.** It shall be unlawful for any person to conduct or participate in any parade, **block party, event, filming, or performance** procession or meeting of such character, extent and

duration, or of such nature, as to create a public disturbance, to operate as a nuisance or to tend to create or threaten rioting, disorderly conduct or public or private mischief.

- (b) *Abusive or threatening language by participants.* It shall be unlawful for any person conducting or participating in any parade, **block party, event, filming, or performance procession, or meeting** to address abusive or threatening language or other fighting words to or at any person, which would tend to provoke such person or others to a breach of the peace.

(Code 1994, §§ 15-31, 15-32)

Secs. 28-36—28-70. Reserved.

ARTICLE III. PICKETING

Sec. 28-71. Permitted; conditions.

Peaceful picketing, including demonstrating, in the furtherance of a lawful purpose shall be permitted in the city, provided that the same is done under the following conditions:

- (1) Picketing shall be conducted only on the sidewalks or other city-owned area normally used or reserved for pedestrian movement, including easements and rights-of-way, and shall not be conducted on the portion of a street used primarily for vehicular traffic.
- (2) ~~Not more than ten picketers promoting the same objective shall be permitted to use the sidewalks within one block in the city at any one time.~~
- (3) Such picketers may carry written or printed placards or signs not exceeding two feet in width and two feet in height promoting the objective for which the picketing is done; provided that the words used are not defamatory in nature and would not tend to produce violence. The staff on which such placard is carried shall not exceed 40 inches in length, must be made of wood, shall not exceed three-fourths of an inch in diameter at any point and must be blunt at each end.
- (4) Picketers must march in single file and not abreast and may not march closer together than 15 feet, except in passing one another.
- (5) If picketers promoting different objectives desire to use the same sidewalk for picketing, ~~and such use would result in the presence of more than ten picketers thereon,~~ the chief of police shall allot time to each group of picketers for the use of such sidewalk on an equitable basis, but each group shall be permitted to picket subject to the provisions of this section at least once every two hours.
- (6) It shall be unlawful for any picketers to address abusive or threatening language to or at any person, which would tend to provoke such person or others to a breach of the peace.
- (7) **For public safety reasons, the following are prohibited in the immediate proximity of pickets, and due notice shall be included in every picketing permit that these restrictions apply:**

- (i) Open flames and combustible solids;
 - (ii) Sticks, poles, selfie sticks, or other similar elongated solid objects capable of inflicting bodily harm as a striking or stabbing object, excluding commercially available corrugated cardboard tubing as the supporting article for signs, flags, and the like;
 - (iii) Backpacks, satchels, bags, coolers, or similar personally carried containers exceeding six inches by eight inches by three inches, except when said container is completely clear and see through;
 - (iv) Pursuant to S.C. Code Ann. § 23-31-520, open carry of any firearm is not allowed during a picket.
 - (v) Any mechanical or handmade contrivance that launches any projectile of solid, liquid, or gaseous composition, including aerosols/pressurized canisters;
 - (vi) Any stabbing cutting slicing, or striking blade, whether of metal or other solid composition;
 - (vii) Any striking object such as bat, stick, brass knuckles, martial arts weapons, implement handles and the like, which would inflict bodily injury;
 - (viii) Any facial mask, headgear, or cloth worn over any portion of the face which prevents facial identification of a person 14 years of age or older;
 - (ix) Any carried object that resembles or serves the purpose of a shield;
 - (x) Any armor of defensive covering that resembles or serves the purpose of defensive body armor;
 - (xi) Carried signage exceeding the size restrictions set forth herein; and,
 - (xii) Bicycles, automobiles, and mopeds.
- (8) No permit is required for picketing by a group of less than ten individuals on a sidewalk, or by a group of less than 25 individuals on the grounds of a City-controlled park or plaza, or in other City-owned areas or rights-of-way normally used or reserved for pedestrian movement.
- (9) A permit application must be submitted to the chief of police or city administrator in a form approved by the chief of police or city administrator and in accordance with the time limits and guidelines established in the Picketing Table set forth below. The picketing permit application form shall be available online, at City hall, and the Police Department. The permit application shall include the following information:
- (i) The name, address, and contact telephone number of the organizer of the picket;
 - (ii) The name, address, and contact telephone number of the person who will carry the permit if different from the organizer;

- (iii) The specific location where the picket is to take place;
- (iv) The Date and time the picket will begin and end; and,
- (v) The anticipated number of participants and the basis on which this estimate is made.

(11) Upon application, the city administrator or chief of police shall immediately issue a permit at no charge. If an application is submitted for the same date, time, and location as an application for which a permit has already been issued, a permit shall be issued for a location as close as reasonably possible to the location set forth in the application; permits issued are subject to amendment in order to conform with this provision. Notwithstanding the foregoing, a picketing permit shall not be issued for the two hours preceding or the two hours following the time period for which a picketing permit has been issued for the same date and location; permits issued are subject to amendment in order to conform with this provision. The permit shall contain all information stated in the application. The organizer of a picket or the person designated in the application as the one who will carry the permit shall be responsible for maintaining the permit and shall present it when so requested by a law enforcement officer or other City official.

(12) Persons engaging in a picketing activity cannot do so inside an area designated as an event area for which a permit has been granted to another individual or group under this article, if the picketing behavior has the effect of interfering with, hampering, hindering, or getting in the way of those participating in the permitted event in accordance with its purposes or with the general public making use of the space for its ordinary and customary purposes. Whenever any police officer charged with monitoring or supervising event activity determines the picketing behavior is interfering with, hampering, hindering, or getting in the way of others as provided in this section, then the officer may direct the picketers to relocate to other public space in reasonable proximity where such conduct can continue, if lawful, so long as the picketing does not interfere with, hamper, hinder, or get in the way of persons participating in the event for its intended purposes or of members of the general public making use of the public space for its ordinary and customary purposes.

(13) The organizer of a picket, or the permittee, shall be responsible for posting conspicuous signage at the picketing location informing participants that the open carry of firearms is prohibition for the duration of the picket. The City reserves the right to post additional signs indicating the open carrying of firearms is prohibited at the picket.

(14) Picketing done contrary to this Section shall be unlawful. Police or city personnel may confiscate any of the items listed in Subsection (7) hereof if a picket participant refuses to remove any prohibited item from the picketing site, with the exception of firearms in accordance with S.C. Code Ann. §23-31-520. A firearm or ammunition may be seized or confiscated pursuant to a lawful arrest.

(Code 1994, § 15-56)

Sec. 28-72. Interference with pickets.

It shall be unlawful for any person to physically interfere with pickets in the use of the sidewalk or to address profane, indecent, abusive or threatening language to or at such picketers, which would tend to provoke such picketers or others to a breach of the peace.

(Code 1994, § 15-57)

Sec. 28-73. Authority of police.

The police officers of the city may, in the event of the assemblage of persons in such numbers as to tend to intimidate picketers pursuing their lawful objective, through numbers alone or through the use of inflammatory words, direct the dispersal of persons so assembled and may arrest any person who fails to absent himself from the place of such assemblage when so directed by the police.

(Code 1994, § 15-58)

Cross reference(s)—Law enforcement, ch. 22.

Sec. 28-74. Maintenance of free passage.

Whenever the free passage of any street or sidewalk in the city shall be obstructed by a crowd, the persons composing such crowd shall disperse or move on when so directed by a police officer as provided in section 28-73.

(Code 1994, § 15-59)

Picketing Table.

An organizer of a picket that the organizer knows or should reasonably know will be by a group of a size set forth in this table shall give at least the corresponding minimum advance notice of intent to picket set forth in this table to the Chief of Police or City Administrator in order for a permit to be issued.

<u>Group Size</u>	<u>Place for Picket</u>	<u>Minimum Advance Notice Required</u>
<u>11-50</u>	<u>Sidewalk</u>	<u>3 hours</u>
<u>25-50</u>	<u>Any public place allowed under subsection 4(a) except sidewalks</u>	<u>3 hours</u>
<u>51-100</u>	<u>Any public place allowed under subsection 4(a)</u>	<u>48 hours</u>

<u>101-200</u>	<u>Any public place allowed under subsection 4(a)</u>	<u>72 hours</u>
<u>201-400</u>	<u>Any public place allowed under subsection 4(a)</u>	<u>5 calendar days</u>
<u>Greater than 400</u>	<u>Any public place allowed under subsection 4(a)</u>	<u>7 calendar days</u>

Secs. 28-75—28-100. Reserved.

Article IV. Begging

Sec. 28-101. Definitions.

(a) *Definitions.* The following definitions apply for purposes of this section:

Beg means to solicit, request or ask for money or other good and benefits as a charity, whether done by words, bodily gestures, signs or any other means.

Charitable organizations means those organizations and their members who are defined by S.C. Code § 33-56-170(1) (*charitable organization* means any organization, institution, association, society or corporation which is exempt from taxation pursuant to Section 501(c)(3) or 501(d) of Title 26 of the United States.).

Charitable purposes means those purposes defined by S.C. Code § 33-56-20(2) (*charitable purposes* means a purpose described in Section 501(c)(3) of the Internal Revenue Code or a benevolent, social welfare, scientific, educational, environmental, philanthropic, humane, patriotic, public health, civic or other eleemosynary objective, including an objective of an organization of law enforcement personnel, firefighters or other person who protect the public safety if a stated purpose of the solicitations includes a benefit to a person outside the actual service of membership of the organization.).

Obstruct pedestrian or vehicular traffic means to walk, stand, sit, lie or place an object in such a manner as to block passage by another person or a vehicle, or to require another persons or a driver of a vehicle to take evasive action to avoid physical contact. Acts authorized as an exercise of one's constitutional right to picket or to legally protest, and acts authorized by a permit issued pursuant to parades as defined in article II, shall not constitute obstruction of pedestrian or vehicular traffic.

Public place means an area generally visible to public view and includes alleys, bridges, buildings, driveways, parking lots, parks, plazas, sidewalks and streets open to the general public, including those that serve food or drink or prodwellings and the grounds enclosing them.

- (b) *Prohibited acts* means it shall be unlawful for any person within the city in any public place to:
- (1) Beg; or
 - (2) Obstruct pedestrian or vehicular traffic while engaging in begging activities.
- (c) *Exemption for charitable organizations soliciting charitable funds for charitable purposes.* Notwithstanding anything herein to the contrary, it shall not be unlawful for a charitable

organization to solicit charitable funds for charitable purposes, provided they do so in a reasonable and orderly manner, and without obstructing pedestrian or vehicular traffic in any public place.

(Ord. No. 677, 6-16-2008)

Passed on First Reading: _____

Passed on Second Reading _____

CITY OF MAULDIN, SOUTH CAROLINA

BY: _____
Terry Merritt, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

APPROVED AS TO FORM:

City Attorney