ORDINANCE NO. 2025-_____

AN ORDINANCE RESTRICTING RIGHT-OF-WAY CANVASSERS AND SOLICITORS TO CERTAIN BRYANT STREETS AND ROADWAYS, LOCATED WITHIN THE CITY OF BRYANNT, BECAUSE CANVASSERS AND SOLICITORS POSE A DANGER TO THEMSELVES AND THE PUBLIC AT LARGE BY INTERVENING WITH THE SAFE AND NORMAL FLOW OF TRAFFIC; AND FOR OTHER PURPOSES

WHEREAS, the City Council of Bryant, Arkansas, desires to adopt an ordinance restricting right-of-way canvassers and solicitors to certain streets and roadways located in the City because such canvassers and solicitors pose a danger to themselves and the public at large by interfering with the safe and normal flow of vehicle traffic; and

WHEREAS, right-of-way canvassers and solicitors approach motorists and passengers while the motor vehicle is engaged in travel on roads and are particularly susceptible to serious bodily injury or death due to the speed and number of motorists who operate vehicles on roads of the City; and

WHEREAS, roads are primarily designed for vehicular traffic and are not suited to safely accommodate right-of-way canvassers and solicitors; and

WHEREAS, the presence of right-of-way canvassers and solicitors interferes with the safe movement and normal flow of traffic; and

WHEREAS, there are eleven (11) full-colored traffic lights within the City; and

WHEREAS, upon additional analysis, the City Council of the City of Bryant, Arkansas, has determined that canvassers and solicitors should be limited on additional street corners.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF BRYANT, ARKANSAS

SECTION 1: It is the finding of the City Council that other alternative and safer channels of communication exist other than right-of-way canvassing and solicitation for a person or people who seek to exercise their First Amendment freedoms, such as, but not limited to, mail solicitation for donations, or delivery of literature, distribution of literature or solicitation for donations at other locations (such as homes, places of worship, businesses, shopping areas, news and magazine racks, special events, and any other place not prohibited by law); the distribution or sale of newspapers or other literature through the use of home or business delivery, vending machines, and retail stores; and the sale of goods and services at retail stores, through the internet, and from vending machines.

SECTION 2: The City Council desires to protect and preserve the safety and quality of life of its residents and those who use the streets within the City, both pedestrians and motorists alike.

SECTION 3: The City Council has reviewed the proposed regulations provided by this section and finds that such regulations accomplish the intended purposes while utilizing the least restrictive means possible.

SECTION 4: It is the intention of the City Council that this subsection is applied equally to all right-of-way canvassers and solicitors, regardless of the right-of-way canvasser and solicitor's purpose and/or message.

SECTION 5: It is the intention of the City that nothing in this section shall prohibit a person from engaging in any other lawful activity or speech on the sidewalks in and around intersections, so long as that person or people are not right-of-way canvassers and/or solicitors and comply with all other state and local laws.

SECTION 6: The City finds that it is in the best interests of the residents of the city to adopt this subsection.

Prohibited roadways: It shall be unlawful for any person to act as a right-of-way canvasser and/or solicitor at or within two hundred
(200) feet from the lateral curb or boundary line of any intersection located within the city limits of Bryant.

SECTION 7: Those violating these restrictions are guilty of disturbing the peace, and in accordance with Ark. Code§ 14-54-1408 may be cited and punishable by a fine up to $100.

SECTION 8: Should any word, phrase, or section of this ordinance be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect the force and validity of the remaining portion of sections of this ordinance.

PASSED AND APPROVED THIS ____ DAY OF _____ 2025, BY THE CITY COUNCIL OF BRYANT, ARKANSAS.

Attest: _____ Chris Treat, Mayor

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Mark Smith, City Clerk