



MEMORANDUM

Date: May 30, 2023

To: The Honorable Chair and Members
Pima County Board of Supervisors

From: Jan Leshner 
County Administrator

Re: **Additional Information for the May 16, 2023 Board of Supervisors Meeting- Update on County Initiatives to Address Homelessness and Public Safety- Item No. 20**

At the May 16, 2023 Board of Supervisors' meeting questions were raised concerning laws specific to panhandling in the median. The purpose of this memorandum is to provide clarity on Pima County ordinances regarding this subject.

On May 17, 2016 the Board of Supervisors approved a Traffic Safety Ordinance prohibiting the loitering of pedestrians on medians that separate opposing lanes of a multilane highway. This ordinance was placed on the agenda at the request of Sheriff Nanos to improve the safety of pedestrians and vehicle drivers. This ordinance is not a panhandling ordinance.

Panhandling ordinances have been struck down as unconstitutional by the Ninth Circuit of the US Court of Appeals as mentioned in a December 1, 2015 memorandum. For this reason, the current signs that have been placed at approximately 32 signalized intersections in the unincorporated areas of Pima County are meant to dissuade panhandling and direct drivers to donate to social service organizations. The enforcement of Ordinance No. 2016-30 remains specific to trespassing in the median.

JKL/anc

c: Carmine DeBonis, Jr., Deputy County Administrator
Francisco García, MD, MPH, Deputy County Administrator & Chief Medical Officer
Steve Holmes, Deputy County Administrator

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