

Exhibit A

Ordinance O22-66

ORDINANCE NO. O22-66

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 24 (MOTOR VEHICLES AND TRAFFIC), ARTICLE XII (PEDESTRIAN'S DUTIES), SECTION 24-161 (PROHIBITED CROSSING).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That Glendale City Code Chapter 24 (Motor Vehicles and Traffic), Article XII (Pedestrian's Duties), Section 24-161 (Prohibited Crossing) is amended and shall read as follows:

Section 24-161 – Pedestrians crossing or stopping in roadway

- (a) No pedestrian shall cross a roadway other than in a crosswalk in any business district.
- (b) No pedestrian may stop or remain in the portion of the roadway designed for vehicular use or in any painted or raised traffic island or median not designated for use by pedestrians except to wait to cross the roadway at the next pedestrian signal, when traffic has stopped, cleared or yielded.
- (c) Before any pedestrian is cited for a civil violation of this section, the pedestrian must be given a warning by an enforcement officer of the City. The first violation of this section after a warning is given is a civil traffic offense and a second or any subsequent violation of this section is a Class 1 misdemeanor.

SECTION 2. That provisions of this ordinance shall become effective thirty (30) days after the passage of this ordinance by Glendale City Council.

(Signatures on the following page)

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 11th day of October, 2022.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager

Exhibit B

Ordinance O22-67

ORDINANCE NO. O22-67

AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING THE GLENDALE CITY CODE, CHAPTER 26 (OFFENSES-MISCELLANEOUS), ARTICLE IV (OFFENSES AGAINST PUBLIC DECENCY AND MORALS), DIVISION 1 (GENERALLY) SECTION 26-74 (PROHIBITED SOLICITATION; PROHIBITED ACTS; VIOLATIONS).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That Glendale City Code Chapter 26 (Offenses-Miscellaneous), Article IV (Offenses Against Public Decency and Morals), Division 1 (Generally), Section 26-74 (Prohibited Solicitation; prohibited acts; violations) is amended and shall read as follows:

Section 26-74 – Prohibited Solicitation; prohibited acts; violations

- 1) It shall be unlawful for any person to solicit money or other items of value, or to solicit the sale of goods or services.
 - (a) In an aggressive manner in any public area;
 - (b) In any public transportation vehicle, or bus station or stop;
 - (c) Within fifty (50) feet of any entrance or exit of any financial institution or check cashing business or within fifty (50) feet of any automated teller machine or check cashing business without the consent of the owner or other person legally in possession of such facilities. Provided, however, that when an automated teller machine is located within an automated teller machine facility, such distance shall be measured from the entrance, exit or outside boundary of the automated teller machine facility;
 - (d) On private property if the owner, tenant or lawful occupant has asked the person not to solicit on the property, or has posted a sign clearly indicating that solicitations are not welcome on the property;
 - (e) Within twenty-five (25) feet of the entrance and/or exit of any commercial business or privately owned establishment.
 - (f) From any operator of a motor vehicle that is in traffic on a public street or stopped for a traffic control device or stop sign on a public street, regardless of whether in exchange for cleaning the vehicle's windows, or for blocking, occupying, or reserving a public parking space, or directing the occupant to a public parking space or even if no services are received in exchange for responding to the solicitation; provided, however, that this paragraph shall not apply to services rendered in connection with emergency repairs requested by the operator or passenger of such vehicle.
- 2) Any violation of this section is a civil violation for a first offense and a Class 1 misdemeanor for any subsequent offense(s) in a twelve (12) month period.

SECTION 2. That provisions of this ordinance shall become effective thirty (30) days after the passage of this ordinance by Glendale City Council.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Glendale, Maricopa County, Arizona, this 11th day of October, 2022.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager

Exhibit C

Ordinance O23-04

ORDINANCE NO. O23-04

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF
GLENDALE, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER
26 OF THE GLENDALE CITY CODE AS IT RELATES TO SOLICITING.

WHEREAS, the Glendale City Charter provides that the council may, by ordinance, create boards or commissions as in its judgment are required or as are now or hereafter provided by law, and may grant to them such power and duties as are not consistent with the provisions of the charter;

WHEREAS, the City of Glendale City Council desires to add definition to the Glendale City Code and establish a new ordinance governing solicitation in the City of Glendale.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GLENDALE as follows:

SECTION 1. That Glendale City Code Chapter 26 (Offenses-Miscellaneous), Article IV (Offenses Against Public Decency and Morals), Division 1 (Generally), Section 74 (Prohibited Solicitation; prohibited acts; violations) is hereby amended and titled as with the following:

Chapter 26-74. – Prohibited Solicitation; definitions.

For purposes of Chapter 26-74:

Solicit: To request an immediate donation or transfer of money or other thing of value from another person, regardless of the solicitor's purpose or intended use of the money or other thing of value. The solicitation may be, without limitation, by spoken, written, or printed word, or by other means of communication

Aggressive manner means and includes:

Intentionally or recklessly making any physical contact with or touching another person or the person's property in the course of the solicitation without the person's consent.

Following the person being solicited, if that conduct is: (i) intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or (ii) is intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation.

Continuing to solicit within five (5) feet of the person being solicited after the person has made a negative response, if continuing the solicitation is: (i) intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal

act upon property in the person's possession; or (ii) is intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation.

Intentionally or recklessly blocking the safe or free passage of the person being solicited or requiring the person, or the driver of a vehicle, to take evasive action to avoid physical contact with the person making the solicitation. There shall be: (i) a rebuttable presumption that placing items of personal property on a sidewalk resulting in less than three feet of walking space is done with the intent to block passage on the sidewalk; (ii) a rebuttable presumption that engaging in solicitation in the designated traffic lane of a public roadway or on a median between designated travel lanes of a public roadway is done with the intent to block passage on the roadway. Acts authorized as an exercise of one's constitutional right to picket or legally protest, shall not constitute obstruction of pedestrian or vehicular traffic;

Intentionally or recklessly using obscene or abusive language or gestures: (i) intended to or likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or (ii) words intended to or reasonably likely to intimidate the person into responding affirmatively to the solicitation
, or

Approaching the person being solicited in a manner that: (i) is intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or (ii) is intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicited.

Automated teller machine: A device, linked to a financial institution's account records, which is able to carry out transactions, including, but not limited to: account transfers, deposits, cash withdrawals, balance inquiries, and mortgage and loan payments. An automated teller machine regardless of whether it is located at a financial institution shall be included within this definition.

Automated teller machine facility: The area comprised of one or more automatic teller machines, and any adjacent space which is made available to financial institution customers after regular inside counter hours. It shall be presumed that any automobile parking space within fifty (50) feet of an automated teller machine is part of the automated teller machine facility to provide access to financial institution customers.

Check cashing business: Any person duly licensed by the State of Arizona to engage in the business of cashing checks, drafts or money orders for consideration pursuant to the provisions of the laws pertaining to financial services.

Financial institution: Any person, entity or corporation engaged in the banking business as defined in A.R.S. § 6-201, including but not limited to national bank associations, regardless of whether their home office is located in this state, banks holding a banking permit issued by the state of Arizona, credit unions or savings and loan associations.

Public area: An area to which the public or a substantial group of persons has access, and includes, but is not limited to, alleys, bridges, buildings, driveways, parking lots, parks playgrounds, plazas, sidewalks, and streets open to the general public, and the doorways and entrances to buildings and dwellings, and the grounds enclosing them.

SECTION 2. EFFECTIVE DATE. Whereas the immediate operation of the provisions of this Ordinance is necessary for the preservation of the public peace, health, and safety of the City of Glendale, an emergency is hereby declared to exist, and this Ordinance shall be in full force and effect from and after its passage, adoption, and approval by the Mayor and Council of the City of Glendale, and it is hereby exempt from the referendum provisions of the Constitution and laws of the State of Arizona.

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance or any part of the material adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED, ADOPTED AND APPROVED by the Mayor and City Council of the City of Glendale, Maricopa County, Arizona, this 14th day of February, 2023.

Mayor Jerry P. Weiers

ATTEST:

Julie K. Bower, City Clerk (SEAL)

APPROVED AS TO FORM:

Michael D. Bailey, City Attorney

REVIEWED BY:

Kevin R. Phelps, City Manager

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Amy Hughes;
Denise Carr; and
Gabriel Gilbert,

Plaintiffs;

v.

City of Glendale,

Defendant.

CASE NO.

DECLARATION OF AMY HUGHES

I, Amy Hughes, declare as follows:

1. I am a Plaintiff in the above-captioned matter. I make this declaration in support of Plaintiffs' Motion for Preliminary Injunction. This declaration is based on my personal knowledge and belief. I am an individual who is over 18 years of age.

2. I was born in Biloxi, Mississippi in 1974. I moved to Arizona when I was 14 and have lived here ever since. I have lived in Glendale and Phoenix for most of my life. I currently live at 6530 W Ocotillo Rd., Apt J120, Glendale, AZ, 85301.

3. When I was younger, I worked in service jobs at Subway, Jack in the Box, Burger King, Texaco, and Mobil Oil. Most recently, I worked in inventory at Foxworth Lumber Company from 2006–2008.

4. I have been homeless on and off for much of my life. I was homeless from 2008–2013 and became homeless again in 2021 when a house I was living in burned

down. I moved into a trailer later that year but was forced to leave in May 2023, when I became homeless again. In November 2023, I moved into my current apartment.

5. When I'm homeless, I usually stay with friends or partners in Glendale. I have been unable to work for many years due to my housing instability and health. I am diagnosed with post-traumatic stress disorder, attention deficit/hyperactivity disorder, and bipolar disorder. Several years ago my left leg was amputated.

6. I receive \$961 per month in social security disability insurance and \$94 per month in food stamps. My boyfriend receives \$1100 per month in social security disability insurance and \$27 per month in food stamps. This money is not enough to pay our bills and meet our daily needs.


7. I panhandle for money to pay for food, hygiene products, bus fare, and other necessities. I rely on money I make panhandling to survive.

8. I typically ask for money by standing on a public sidewalk outside a gas station or convenience store and asking for bus fare or gas money. I also frequently stand on a public sidewalk at a busy intersection, like at Litchfield Rd and Glendale Ave, and hold a sign that says "Dreaming of a Cheeseburger" to solicit money from cars stopped at a light. When I solicit from cars, I hold a sign and work with a friend who steps into the roadway to accept donations, which I'm unable to do myself after my amputation.

9. Since the City of Glendale adopted laws that restrict panhandling, it has become much harder to ask for money in Glendale. Police officers have regularly told me that panhandling is illegal in Glendale and that I would be arrested if I continued asking for money.

10. As a result of Glendale's laws restricting panhandling, I have chosen to panhandle less and in places where it is less effective. I have had a harder time meeting my daily needs because of these laws.

I hereby declare under penalty of perjury that the foregoing is true and accurate.


Amy Hughes

Dated: 7-21-25

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Amy Hughes;
Denise Carr; and
Gabriel Gilbert,

Plaintiffs;

v.

City of Glendale,

Defendant.

CASE NO.

DECLARATION OF DENISE CARR

I, Denise Carr, declare as follows:

1. I am a Plaintiff in the above-captioned matter. I make this declaration in support of Plaintiffs' Motion for Preliminary Injunction. This declaration is based on my personal knowledge and belief. I am an individual who is over 18 years of age.

2. I was born in Phoenix, Arizona in 1970. I have lived in Glendale and Phoenix for most of my life. I currently live at 1225 N 40th Street, Apt. 2072, Phoenix, AZ, 85008.

3. I was homeless for approximately five years until I moved into my current apartment on May 10, 2025. While homeless, I lived in a car with Gabriel Gilbert and our dog. At night, we would park the car on streets and in parking lots in Glendale, Arizona. I spent most of my days on the streets in Glendale, looking for money or work.

4. I did temporary work and day labor while homeless, but it was not enough to meet all of my needs. I also panhandled for money to pay for food, gas, motel rooms, phone bills, or other necessities.

5. I relied on this money to survive; there were times in the summer, for example, when I needed gas to run the air conditioning in my car to keep the temperature habitable. I now have a job but still consider panhandling as a last resort if I need money.

6. I typically ask for money by standing on a public sidewalk outside a gas station and telling pedestrians I need money to fill my tank. I also frequently stand on a public sidewalk outside a business, like a smoke shop, and ask pedestrians for money to buy cigarettes.

7. One time, I was standing with a group of homeless people in Bonsall Park at Bethany Home Road and 59th Avenue, when police performed a sweep of the park. They told me and others that we could not panhandle in Glendale. I was not cited or arrested, but it made me afraid to panhandle in Glendale.

8. Since the City of Glendale adopted laws that restrict panhandling, it has become much harder to ask for money in Glendale. Police officers have regularly told me that panhandling is illegal in Glendale and that I would be arrested if I continued asking for money. Businesses have also threatened to call the police when I have been panhandling in a public place nearby.

9. As a result of Glendale's laws restricting panhandling, I have chosen to panhandle less and in places where it is less effective. I have had a harder time making ends meet because of these laws.

I hereby declare under penalty of perjury that the foregoing is true and accurate.

Denise Carr

Denise Carr

Dated: 7-21-25

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Amy Hughes;
Denise Carr; and
Gabriel Gilbert,

Plaintiffs;

v.

City of Glendale,

Defendant.

CASE NO.

DECLARATION OF GABRIEL GILBERT

I, Gabriel Gilbert, declare as follows:

1. I am a Plaintiff in the above-captioned matter. I make this declaration in support of Plaintiffs' Motion for Preliminary Injunction. This declaration is based on my personal knowledge and belief. I am an individual who is over 18 years of age.

2. I was born in Colorado Springs, Colorado in 1981. I moved to Phoenix from Colorado in 2008. I currently live at 1225 N 40th Street, Apt. 2072, Phoenix, AZ, 85008.

3. I was homeless for approximately five years until I moved into my current apartment on May 10, 2025. While homeless, I lived in a car with Denise Carr and our dog. At night, we would park the car on streets and in parking lots in Glendale, Arizona.

4. We couldn't leave our dog alone in the car, so either Denise or I always had to be home. While Denise worked, I stayed with our dog. The money Denise made

working temporary jobs and day labor was not enough to meet all of my needs. When she was not working, I also panhandled for money to pay for food, gas, motel rooms, phone bills, or other necessities.

5. I relied on this money to survive; there were times in the summer, for example, when I needed gas to run the air conditioning in my car to keep the temperature habitable. I now have a job but still consider panhandling as a last resort if I need money.

6. I typically ask for money by standing on a public sidewalk outside a gas station and telling pedestrians I need money to fill my tank. I also stand on public sidewalks outside a business, like a grocery store, and ask pedestrians for money for food or dog food.

7. Since the City of Glendale adopted laws that restrict panhandling, it has become much harder to ask for money in Glendale. Police officers have told me that panhandling is illegal in Glendale and that I would be arrested if I continued asking for money.

8. I do everything I can to avoid contact with police because of bad experiences I have had with police officers. It is extremely difficult and unfair to have to decide between risking contact with police and arrest, or going without life necessities like food, gas, or shelter.

9. As a result of Glendale's laws restricting panhandling, I have chosen to panhandle less and in places where it is less effective. I have had a harder time making ends meet because of these laws.

I hereby declare under penalty of perjury that the foregoing is true and accurate.

A handwritten signature in black ink, appearing to read 'G. Gilbert', written over a horizontal line.

Gabriel Gilbert

Dated: 7-21-25