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### Miramar ban on roadside solicitations takes effect Monday

By Ariel Barkhurst, Staff Writer

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#### MIRAMAR

A ban on begging, street vending and charity collections at major intersections makes this city the latest in Broward to take aim at roadside soliciting.

Officials say traffic safety motivated the police department to recommend the change, which takes effect Monday. That's why the ordinance details Broward's history of pedestrian deaths involving panhandlers and hawkers, said Assistant Chief of Police Ray Black, pointing out that 65 pedestrians died in 2007 in the county and citing a unsolved 2007 hit-and-run in which a newspaper vendor was killed.

"This is one of the most dangerous places for pedestrians in the county," Black said. "We're all challenged by the high volume of cars and pedestrian activity."

But critics say the law — like others banning or limiting solicitations — is really aimed at the homeless, who often panhandle or sling newspapers on the street corner for cash.

"Would it really be all about safety?" asked Sean Cononie, founder of the Homeless Voice shelter. "We don't tell people they can't walk across the street in Miramar. We don't tell people they can't ride their bikes in Miramar. And there're so many more of those kinds of deaths than these."

The men and women staying in his shelter distribute Homeless Voice newspapers at intersections in exchange for donations, which are the shelter's sole source of revenue. With the new ban, Cononie said, "it's going to be hard to keep our doors open."

"This is not a safety issue, this is a homelessness issue," said Ginny Dangola, director of operations for the shelter. "We're safe. They take safety classes twice a week. They wear safety helmets and bright green vests. Our people have never been killed."

On Monday, anyone a police officer spots "offering for sale any thing or service of any kind, or seeking any donation of any kind," will be subject to a fine of up to \$500 and maximum of 60 days in jail. The law applies to Pembroke Road, Miramar Parkway, South State Road 7, Red Road, Flamingo Road and University Drive.

Weston, Hollywood and Margate have also banned and limited solicitors in traffic, while Fort Lauderdale banned some kinds of soliciting on the beach. [Palm Beach County](#) and Oakland Park have run into criticism while trying to pass anti-soliciting laws, and St. Petersburg and the state of Florida, have passed laws only to be challenged in court.

Roadside soliciting, critics of the laws say, is a first amendment right, and laws aimed specifically at panhandling

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discriminate against the homeless.

Miramar's law bans every kind of solicitation, so it's not legally discriminatory, said Benjamin Stevenson, staff attorney for the American Civil Liberties Union of Florida. But that doesn't mean the law is blameless.

"It's a way around discriminating toward different solicitors," he said, "but it's not a way around the basic limitation of the right to solicit, which is a free speech right. The government has no business saying what speech is allowed in public places."

The city is not limiting speech, Black said, because soliciting is banned only in intersections on the city's "major roads." The "interior" roadways are still fair game, he said.

Gerald Green, collecting coins in a milk crate at Miramar Parkway and University Drive, didn't agree.

"Where are we going to go, where there will be enough cars?" he asked. "We're going to leave Miramar and go to a different city. That's where we're going to go."

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