



Department of State
Corporations, State Records & UCC

New York State
Department of State
DIVISION OF CORPORATIONS,
STATE RECORDS AND
UNIFORM COMMERCIAL CODE
One Commerce Plaza
99 Washington Ave.
Albany, NY 12231-0001
dos.ny.gov

Local Law Filing

Pursuant to Municipal Home Rule Law §27

Local Law Number ascribed by the legislative body of the local government listed below:

Proposed No. 03 of the year 20 26

Local Law Title: A Local Law to add new Chapter 171 to the Town of Thompson Town Code, entitled
"Panhandling, Aggressive"

Be it enacted by the Town Board of the _____
(Name of Legislative Body)

County City Town Village
(Select one)

of Thompson as follows on the attached pages:
(Name of Local Government)

For Office Use Only

Department of State Local Law Index Number: _____ of the year 20 _____

(The local law number assigned by the Department of State for indexing purposes may be different from the local law number ascribed by the legislative body of the local government.)

Town of Thompson

Proposed
Local Law No. 03 of the year 2026

A local law entitled "A local law to add new Chapter 171 to the Town of Thompson Code, entitled "Panhandling, Aggressive".

Be it enacted by the Town Board of the Town of Thompson

1. §171-1. Legislative intent.

This chapter is adopted in order to protect persons from threatening, intimidating or harassing behavior, to keep public places safe for use by all members of the community and to maintain and preserve public places where all of the community can interact in a peaceful manner. This chapter is intended to provide for the free flow of pedestrian and vehicular traffic on streets and sidewalks in the Town, to promote tourism and business and preserve the quality of life. The Town Board finds that aggressive acts associated with solicitation tend to interfere with the free flow of pedestrian and vehicular traffic and intimidate persons in public places and can lead to disruption and disorder in public places. Aggressive acts can also cause persons to avoid public places and lead to disruption and disorder in public places. Aggressive acts can also cause persons to avoid public places and lead to declining patronage of commercial establishments and tourism. The Town Board further finds that solicitation in certain public places is inconsistent with the use of those places, and targets persons who are captive audiences or constitutes an invasion of privacy as persons are not able to simply move on if they do not wish to speak to the person soliciting. Solicitation in proximity to bank entrances or check-cashing businesses or automated teller machines is inherently intimidating. By this legislation, the Town Board intends to promote the health, safety and welfare of the citizens and visitors to the Town.

2. §171-2. Definitions.

Whenever the following words and phrases are used in this chapter, they shall have the following meanings:

AGGRESSIVE MANNER

- A. Intentionally or recklessly making any physical contact with or touching another person in the course of the solicitation, or approaching within an arm's length of the person, except with the person's consent;
- B. Following the person being solicited, if that conduct is:
 - (1) 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
 - (2) Is intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation;

- C. Continuing to solicit within five feet of the person being solicited after the person has made a negative response, if continuing the solicitation is:
 - (1) 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;
 - (2) Is intended to or is likely to intimidate the person being solicited into responding affirmatively to the solicitation;
- D. 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.
- E. Intentionally or recklessly continuing to solicit drivers of a vehicle in a manner that poses a distraction to the driver or interrupts the flow of traffic.
- F. Intentionally or recklessly using words:
 - (1) 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
 - (2) Intended or likely to intimidate the person into responding affirmatively to the solicitation; or
- G. Approaching the person being solicited in a manner that is:
 - (1) 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
 - (2) Intended to or is likely to intimidate the person being solicited into responding affirmatively to the solicitation.

AUTOMATED TELLER MACHING

A devise, 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.

AUTOMATED TELLER MACHINE FACILITY

The area comprised of one or more automated teller machines, and any adjacent space which is made available to banking customers after regular banking hours.

BANKING ORGANIZATION

All banks, trust companies, private bankers, savings banks, industrial banks, safe deposit companies, savings and loan associations, credit unions and investment companies as defined in §2 of the New York State Banking Law.

LICENSED CASHIER OF CHECKS

Any individual, partnership, unincorporated association or corporation duly licensed by the New York State Superintendent of Banks to engage in business pursuant to the provisions of Article IX-A of the New York State Banking Law.

PANHANDLING

Any solicitation made in person, requesting an immediate donation of money or other thing of value, purchase of an item for an amount far exceeding value, under circumstances where a reasonable person would understand that the purchase is, in substance, a donation for the purpose of this chapter. Offers to work for food or other compensation, under circumstances where a reasonable person would understand that the compensation given is, in substance, a donation, is also a donation for purposes of this chapter.

PANDHANDLER

Any person engaged in the act of panhandling.

PUBLIC PLACE

Any area or building owned, leased, operated or controlled by or on behalf of any government, municipality, public authority or public corporation in the Town which is generally accessible by the public, including but not limited to any street, including the sidewalk portion thereof, skyway, bridge, tunnel, park, playground, recreation area, cemetery, school or school grounds, building, facility, driveway, parking lot or parking garage, and the doorways and entrances to buildings and dwellings.

SOLICIT

Shall including, without limitation, the spoken, written, or printed word or such other acts or bodily gestures as are conducted in furtherance of the purposes of immediately obtaining money or any other thing of value.

3. §171-3. Prohibited acts.
 - A. No person shall solicit or panhandle in an aggressive manner in a public place.
 - B. No person shall solicit or panhandle within 30 feet of an automated teller machine or an entrance or exit of an automated teller machine facility during the time the automated teller machine is available for customers' use; or within 30 feet of an entrance or exit to a banking organization or a licensed casher of checks during its business hours.
 - C. No person shall solicit when either the person soliciting, or the person being solicited, is in a bus shelter or at a bus stop.
 - D. No person shall solicit or panhandle in an aggressive manner in a parking lot.
 - E. No person on a sidewalk or alongside a roadway shall solicit or panhandle in an aggressive manner from any occupant of a motor vehicle that is on a street or other public place.

4. §171-4. Violations and penalties.

A violation of this chapter shall be a "violation" as that term is defined in the Penal Law. A person convicted of violating this chapter shall be fined not less than \$25.00 nor more than \$250.00, and, in addition, for a second conviction within 12 months of a preceding conviction, may be imprisoned for a term not longer than 15 days. In lieu of a fine, the Court may impose an appropriate alternative sentence; provided, however, that an alternative sentence shall not be an unconditional discharge.

5. §171-5. Enforcement.

This chapter shall be enforced by local enforcement agencies such as Sullivan County Sheriff's Department and New York State Police Agency.

6. §171-6. Severability.

If any provision of this chapter is declared invalid or unconstitutional for any reason, the remaining provisions shall be severable and shall continue in full force and effect.

7. This local law shall take effect immediately.

LOCAL LAW FILING

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only)

I hereby certify that the local law annexed hereto ascribed as local law No. ____ of 2026 of the Town of Thompson was duly passed by the Town Board on _____, 2026 in accordance with the applicable provisions of law.

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by Elective Chief Executive Officer*)

I hereby certify that the local law annexed, ascribed as local law No. ___ of 20__ of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 20__ and was (approved) (not approved) (repassed after disapproval) by the _____ on _____ and was deemed duly adopted on _____ 20__, in accordance with the applicable provisions of law.

3. (Final adoption by referendum)

I hereby certify that the local law annexed hereto, ascribed as local law No. ___ of 20__ of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 20__ and was (approved) (not approved) (repassed after disapproval) by the _____ on _____. Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 20__, in accordance with the applicable provisions of law.

4. (Subject to permissive referendum, and final adoption because no valid petition filed requesting referendum)

I hereby certify that the local law annexed hereto, ascribed as local law No. ___ of 20__ of the County/City/Town/Town/Village of _____ was duly passed by the _____ on _____ 20__ and was (approved) (not approved) (repassed after disapproval) by the _____ on _____. Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 20__ in accordance with the applicable provisions of law.

* Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, chairman of the county legislative body, the mayor of a city or village or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

LOCAL LAW FILING

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, ascribed as local law No. ___ of 20__ of the City of _____ having submitted to referendum pursuant to the provisions of sections (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 20__ became operative.

6. (County local law concerning adoption of Charter)

I hereby certify that the local law annexed hereto, ascribed as local law No. ___ of 20__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November ___ 20__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide the appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

~~Clerk of the county legislative body, city, Town, village clerk or officer designated by local legislative body~~

Date: _____, 2026

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality)

**STATE OF NEW YORK
COUNTY OF SULLIVAN**

I, the undersigned, do hereby certify that the foregoing local law contains the correct text and that all proper proceeding have been had or taken for the enactment of the local law annexed hereto.

Date: _____, 2026

Attorney for Town of Thompson