

1 **BOARD BILL NO.34 INTRODUCED BY ALDERWOMAN CHRISTINE INGRASSIA,**
2 **ALDERWOMAN CARA SPENCER, ALDERWOMAN SARAH MARTIN,**
3 **ALDERMAN DANIEL GUENTHER, ALDERWOMAN MEGAN GREEN, ALDERMAN**
4 **SHANE COHN.**

5
6 An Ordinance pertaining to preventing passage to and from a health care facility and
7 prohibiting activities near certain facilities; containing a severability clause and an
8 emergency clause.

9 **WHEREAS,** the Board of Aldermen recognizes that access to health care
10 facilities for the purpose of obtaining medical counseling and treatment is imperative to
11 the citizens of this City and community;

12 **WHEREAS,** the exercise of a person's right to protest or counsel against certain
13 medical procedures must be balanced against another person's right to obtain medical
14 counseling and treatment in an unobstructed manner;

15 **WHEREAS,** that preventing the willful obstruction of a person's access to
16 medical counseling and treatment at a health care facility is a matter of City-wide
17 concern;

18 **WHEREAS,** the Board of Aldermen therefore declares that it is appropriate to
19 enact legislation that prohibits a person from knowingly obstructing another person's
20 entry to or exit from a health care facility.

21 **THEREFORE BE IT ORDAINED BY THE CITY OF ST. LOUIS:**

22 **SECTION ONE.** Access to a health care facility.

23 A. A person violates this ordinance if such person knowingly obstructs,
24 detains, hinders, impedes, or blocks another person's entry to or exit from a health care
25 facility.

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1 B. Access to Driveway Areas. No person shall conduct any demonstration
2 activity within the driveway area or within eight (8) feet of the driveway area of a health
3 care facility, provided however that it shall be lawful for a person to use a public
4 sidewalk or street right-of-way adjacent to a health care facility in order to traverse a
5 driveway area. No person shall impede access to a driveway entrance of a health care
6 facility by any conduct which delays or impedes the flow of pedestrian or vehicular
7 traffic in or out of such facility. As used in this ordinance, the term "driveway area"
8 refers to that portion of a street right-of-way (including a sidewalk) generally improved
9 for the purposes of providing vehicular access to adjacent private property. At the request
10 of a health care facility, the City will indicate (such as through the use of painted lines)
11 the perimeter boundaries of a driveway area.

12 C. For the purposes of this section, "health care facility" means any entity
13 that is licensed, certified, or otherwise authorized or permitted by law to administer
14 medical treatment in this state, including but not limited to any buildings, appurtenances
15 and grounds, entrances, parking facilities, and driveways.

16 D. For purposes of this section, "demonstration activity" means all expressive
17 and symbolic conduct, whether active or passive, which shall include, but not be limited
18 to, protesting, picketing, distributing literature, and engaging in oral or silent protest,
19 education or counseling activities.

20 **SECTION TWO. Penalty Clause.** Any person violating any of the provisions
21 of this Ordinance shall, for each such violation, upon conviction shall be subject to a fine
22 of no less than one hundred dollars (\$100) and not more than five hundred dollars (\$500)

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1 or by imprisonment for not more than ninety days, or by both fine and imprisonment.

2 **SECTION THREE. Severability Clause.**

3 The provisions of this section are severable. If any provision of this ordinance is
4 declared invalid, that invalidity shall not affect other provisions of the ordinance which
5 can be given effect without the invalid provision.

6 **SECTION FOUR. Emergency Clause.**

7 The passage of this ordinance being deemed necessary for immediate preservation
8 of the public peace, health and safety, an emergency is hereby declared to exist within the
9 meaning of Section 20 of Article IV of the Charter, and this ordinance shall be in full
10 force and effect immediately upon its passage and approval by the Mayor.

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