

Phx Bans Halloween/Children's Lemonade Stands?

I am firmly opposed to the Phoenix ordinance that limits people's freedom of speech and assembly – and I'm not alone. See today's Arizona Republic editorial [here](#).

You may be aware city inspectors stopped a woman from handing out water bottles while delivering a religious message at a downtown event. I want that ordinance to come before council as soon as possible and have asked the mayor and the city manager to bring that forward. Please see my letter below.

I believe the city is going too far and getting too involved in our daily activity.

The ordinance requires a \$350 license and more to "vend" from private property. Enforced as exhibited by the city, would that mean lemonade stands – or even handing out free candy from your front door – requires a permit?

I'm very concerned about Phoenix having such a nit-picky ordinance that limits individuals' day-to-day activity – not to mention the central freedoms that we hold dear in this country. My guess is that the political right and the left would agree on the latter.

This ordinance needs to be changed, and changed quickly.

My best to you and your family,

Sal DiCiccio
City of Phoenix
Councilman, District 6
602-262-7491
council.district.6@phoenix.gov

Letter to Mayor Stanton, the Phoenix City Council and City Manager David Cavazos

*To: Mayor Stanton, City Manager David Cavazos,
From: Sal DiCiccio
Re: Vending ordinance
Date: 09-04-2012*

I request a City Council discussion to review our vending ordinance to make sure it gives the proper weight to free speech and does not create unnecessary and nit-picky burdens on commonly occurring citizen activity.

The Republic story about the woman who was not allowed to hand out water bottles while delivering a religious message makes me believe that it would be useful for the City Council to examine our ordinance that relates to vending and how that affects free speech.

As I understand it, the woman was told at a First Friday event that she could not give away water bottles on private property without a vending license. Paired with the bottles, she was also handing out and expressing a religious message. I believe the question of free speech should trump a vending license issue.

Another issue arises with this discussion, and that is how nit-picky the city might be with some vending activities. I was asked by a Republic reporter if this meant that children could not put up a neighborhood lemonade stand in the safety of the family yard or driveway but instead had to be in the public right of way, where it is less safe. If this is the case, giving out Halloween candy might even be challenged.

Thank you.

Sincerely,
Sal DiCiccio