

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:15-cv-00281-WJM-KMT

ABBY LANDOW,  
JEFFREY ALAN,  
SUSAN WYMER,  
LAWRENCE BEAL,

individually and on behalf  
of others similarly situated,

GREENPEACE, INC.,  
NANCY YORK,

Plaintiffs,

v.

CITY OF FORT COLLINS,

Defendant.

---

**[PROPOSED] ORDER GRANTING JOINT MOTION FOR STIPULATED PERMANENT  
INJUNCTION AGAINST DEFENDANT**

---

This matter comes before the Court on the parties' Joint Motion for Entry of Stipulated Permanent Injunction Against Defendant filed April XX, 2015. The Court, having reviewed the Motion and the pleadings filed in this case, hereby FINDS as follows:

1. Plaintiffs Abby Landow, Jeffrey Alan, Susan Wymer, Lawrence Beal, Greenpeace, Inc., and Nancy York initiated this action against Defendant City of Fort Collins seeking to enjoin Defendant from enforcing various provisions of Section 17-127 of the Fort Collins Municipal Code, titled "Panhandling" ("the Ordinance"). Plaintiffs also sought to enjoin Defendant from arresting, citing, or ticketing persons who are only soliciting passively by means of a sign or other indication that donations are invited.

2. Plaintiffs sought interim injunctive relief, and a hearing on Plaintiffs' Motion for Preliminary Injunction was set for March 2, 2015.

3. On February 27, 2015, Defendant repealed the challenged provisions of the Ordinance.

4. The hearing on Plaintiffs' Motion for Preliminary Injunction was rescheduled for March 27, 2015.

5. The parties have stipulated to the entry of a permanent injunction prohibiting Defendant from arresting, ticketing, citing, or otherwise interfering with individuals who are solely engaged in passive solicitation. Passive solicitation is defined as passively standing or sitting with a sign or other indication that they are seeking donations, without addressing their solicitation to any specific person, other than in response to an inquiry by that person.

6. This Court has jurisdiction over this action and, therefore, the authority to enter the parties' stipulated permanent injunction.

Based upon the above, and pursuant to the parties' stipulation, it is

ORDERED that the parties' Joint Motion for Entry of Stipulated Permanent Injunction Against Defendant is GRANTED, and it is further

ORDERED that Defendant City of Fort Collins, along with Defendant's principals, officers, agents, servants, employees, and representatives, is PERMANENTLY ENJOINED and restrained from arresting, ticketing, citing, or otherwise interfering with individuals who are solely engaged in passive solicitation. Passive solicitation is defined as passively standing or sitting with a sign or other indication that they are seeking

donations, without addressing their solicitation to any specific person, other than in response to an inquiry by that person.

Dated this \_\_\_\_ day of April, 2015.

BY THE COURT

---

William J. Martinez  
United States District Court Judge