

**ORDINANCE NO. 2024-45
CHAPTER 31
ARTICLE XIV**

AN ORDINANCE to amend Chapter 31 of the 2019 Detroit City Code, *Offenses*, by adding Article XIV, *Offenses at Healthcare Facilities*, which shall consist of Section 31-14-1, *Purpose*, Section 31-14-2, *Definitions*, Section 31-14-3, *Eight-foot personal bubble zone*, and Section 31-14-4, *Fifteen-foot buffer zone*, to advance the City's interests both in protecting the ability of individuals to exercise their right to free speech and expression, and in protecting the right of individuals to seek medical treatment and advice free from harassment.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT THAT:

Section 1. Chapter 31 of the 2019 Detroit City Code, *Offenses*, be amended by adding Article XIV, *Offenses at Healthcare Facilities*, which shall consist of Sections 31-14-1, 31-14-2, 31-14-3 and 31-14-4, to read as follows:

**CHAPTER 31. OFFENSES
ARTICLE XIV. OFFENSES AT
HEALTHCARE FACILITIES**

Sec. 31-14-1. Purpose.

The City recognizes that access to healthcare facilities for the purpose of obtaining medical counseling and treatment is important for residents and visitors to the City. The City also recognizes that the exercise of a person's right to protest or counsel for or against certain medical procedures is a First Amendment activity that must be balanced against another person's right to obtain medical counseling and treatment in an unobstructed manner. The City finds that the limited, viewpoint neutral, buffer and bubble zones outside of healthcare facilities established by this article will ensure that patients have unimpeded access to medical services while ensuring that the First Amendment rights of demonstrators to communicate their message to their intended audience is not impaired.

Sec. 31-14-2. Definitions.

For the purposes of this article, the following words and phrases shall have the meaning respectively ascribed to them by this section:

Healthcare facility means a hospital, or medical clinic or office, or any combination of the two.

Hospital means a facility primarily engaged in providing by, or under, the

supervision of physicians, medical services that include inpatient acute care services to disabled, injured, or sick persons.

Medical clinic or office means an establishment providing therapeutic, preventative, corrective, healing, and health-building treatment services on an out-patient basis by physicians, dentists, and other practitioners.

Sec. 31-14-3. Eight-foot personal bubble zone.

No person, within a 100-foot radius of any entrance door to a healthcare facility, shall knowingly approach within eight feet of another person for the purpose of passing a leaflet or handbill to, displaying a sign to, or engaging in oral protest, education or counseling with such other person in the public right-of-way unless such other person consents.

Sec. 31-14-4. Fifteen-foot buffer zone.

(a) No person or persons shall knowingly congregate, patrol, picket or demonstrate within a 15-foot radius of any entrance to the healthcare facility.

(b) This section shall not apply to the following:

(1) Police and public safety officers, fire and rescue personnel, or other emergency workers in the course of their official duties; or

(2) Authorized security, personnel, employees, or agents of the hospital, or medical clinic or office, engaged in assisting patients and other persons to enter or exit the hospital, or medical clinic or office.

Secs. 31-14-5 – 31-14-10. Reserved.

Section 2. All ordinances, or parts of ordinances, that conflict with this ordinance are repealed.

Section 3. This ordinance is declared necessary to preserve the public peace, health, safety, and welfare of the People of the City of Detroit.

Section 4. In the event this ordinance is passed by a two-thirds majority of City Council Members serving, it shall be given immediate effect and become effective upon publication in accordance with Section 4-118(1) of the 2012 Detroit City Charter. Where this ordinance is passed by less than a two-thirds majority of City Council Members serving, it shall become effective on the 30th day after publication in accordance with Section 4-118(2) of the 2012 Detroit City Charter.

(J.C.C. pp. : September 17, 2024)
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JANICE M. WINFREY
City Clerk

