

**ORDINANCE NO. 110**

**AN ORDINANCE PROHIBITING LOITERING IN PUBLIC PLACES, AND PLACES OPEN TO THE GENERAL PUBLIC IN THE VILLAGE OF DECATUR, MICHIGAN.**

THE VILLAGE OF DECATUR, MICHIGAN ORDAINS:

**SECTION 1. SHORT TITLE:** This Ordinance shall be known and may be cited as the “Loitering Ordinance.”

**SECTION 2. DEFINITIONS:** For purpose of this Ordinance, certain terms or words used herein shall be defined as follows:

**Loitering:** Shall mean remaining idle in essentially one location and shall include the concept of spending time idly, loafing, or walking about aimlessly, and of standing or gathering upon any public place so as to hinder or impede, or tend to hinder or impede the passage of pedestrians or vehicular traffic.

**Public Place:** Shall mean any street, sidewalk, alley, park, public building, public parking lot, and any place of business or assembly open to, or frequented by the public, and any other place which is open to the public view or to which the public has access.

**SECTION 3.** No person shall, after being duly warned, loiter in a public place or place open to the general public in such a manner as to:

- (a) Create or cause to be created, a danger of a breach of peace;
- (b) Hinder or obstruct, or tend to hinder or obstruct, the free passage of pedestrians or vehicular traffic;
- (c) Obstruct, molest, or interfere with a person in such a manner as to cause them fear for their safety;
- (d) Disturb the comfort and repose of a person acting lawfully by such action as making unsolicited remarks of an offensive, disgusting, threatening, or insulting nature or which are calculated to annoy or disturb the person to whom made or in whose hearing they are made.

**SECTION 4.** Whenever such action or activity enumerated in Section 3 is taking place in a public place, or place open to the general public, any police officer may order the person so acting to cease and leave the premises or place.

**SECTION 5.** Any person who shall violate any provision of this Ordinance, after being duly warned, shall be responsible for a civil infraction and subject to a civil fine of not more than \$100.00, plus costs.

**SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective the 1<sup>st</sup> day of September, 1994.

Adopted by the Village Council of the Village of Decatur, Michigan on this 1<sup>st</sup> day of August, 1994.