

7-1 Loitering

Purpose:

Whereas, the residents of the Town of Stafford, having deliberated the need for an ordinance that prohibits certain types of loitering, having considered and adhered to the guidelines established by the American Law Institute in its Model Penal Code, Proposed Official Draft on Loitering in formulating an ordinance which would not arbitrarily interfere with the constitutional freedom of any person, yet would regulate certain types of loitering and in furtherance of the public safety and welfare,

Now, therefore, be it Enacted:

Section 1. Definitions

The word "loiter" as used in this Ordinance shall mean remaining idle in essentially one location and shall include the concepts of spending time idly, loafing or walking about aimlessly, and shall also include the colloquial expression "hanging around".

Section 2. Certain Types of Loitering Prohibited

No person or persons shall loiter in or about a public place, or upon private property upon complaint of the owner of said property, in such a manner as to: (a) create or cause to be created a danger of breach of peace; (b) create or cause to be created any disturbance or annoyance to the comfort and repose of any person; (c) obstruct the free passage of pedestrians or vehicles.

Section 3. Discretion of Police Officer

Whenever any police officer, in the exercise of reasonable judgment, shall decide that the presence of any person in any public place, or on private property upon complaint of the owner thereof, is causing or likely to cause any of the conditions enumerated in Section 2 herein, he may, if he deems it necessary, for the preservation of the public peace and safety, order that person to leave that place. Any person who shall refuse to leave after being ordered to do so by a police officer shall be guilty of a violation of this Section.

Section 4. Penalty

Any person who violates the provisions of this ordinance shall be fined not more than \$90.00 for each offense. Each and every violation of this Ordinance shall constitute a separate offense.

Date Recorded: June 3, 1981

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