

## **ANTI-LOITERING ORDINANCE**

### **4-121 Purpose.**

It shall be unlawful for any person to stand or sit on any street or sidewalk in such a manner as to obstruct the free passage of other persons using said street or sidewalk. It shall be further unlawful to sit or stand in front of any store or shop entrance or display window in such a manner as to obstruct the free passage of persons entering or leaving said store or shop or to block the view of said display windows.

No violation shall be deemed to have occurred with reference to this offense unless and until a city police officer shall have requested the persons involved to move on. Failure to such a request shall then constitute a violation.

### **4-122 Violations.**

A person shall be deemed to have committed a violation of this ordinance if he loiters to prowl in a place, at a time, or in a manner not usual for law-abiding individuals under circumstances that warrant alarm for the safety of persons or property in the vicinity. Among the circumstances which may be considered in determining whether such alarm is warranted is the fact that the actor takes flight upon the appearance of a policeman, refuses to identify himself, or any object. Unless flight by the actor or other circumstances make it impracticable, a police officer shall, prior to any arrest for an offense under this section, afford the actor an opportunity to dispel any alarm which would otherwise be warranted by requesting him to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this section if the peace officer did not comply with the preceding sentence, or if it appears at trial that the explanation given by the actor is true, and if believed by the peace officer at the time, would have dispelled the alarm.

### **4-123 Penalties**

Violations of either of the two foregoing sections shall, upon conviction be punished by a fine of not less than Twenty Dollars (\$20.00) and not more than two hundred and fifty dollars (\$250.00) to be recovered for the use of the City of Calais.

### **4-124 Repealing Provision.**

All previous anti-loitering ordinances in conflict with this ordinance are hereby repealed

### **4-125 Severability.**

Each of the provisions of this ordinance is severable, and if any provision shall be declared to be invalid the remaining provisions shall not be affected but shall remain in full force and effect.

Adopted:

Amended: April 28, 2005

Repealed:

