

Chapter 34
TOWN OF SKOWHEGAN

LOITERING

SECTION I Purpose

This ordinance is in accordance with prevailing community standards. Its purpose is to regulate the conduct of persons on public ways who are committing violations of law. It is to be enforced for the benefit of the public's good, safety and welfare.

SECTION II Definitions

Loitering means remaining idle in essentially (1) one location and shall include the concept of spending time idly, to be dilatory, to linger, to stay, to saunter, to delay, or to stand around.

Public place means any place to which the general public has access and a right to resort to business, entertainment or other lawful purpose and shall also include the front or immediate area of any store, shop, restaurant, tavern or other place of business. Public place shall also mean public grounds, parking areas, parks, and other property under the jurisdiction of the town.

SECTION III Restrictions

It shall be unlawful for any person, at a public place or upon private property within the town where the owner has given the town permission, to loiter, stand, or remain idle, either alone or in concert with others, and:

- (1) Obstruct any public street, public highway, public sidewalk, public parking area or any other public place or building so as to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians, or
- (2) Commit any violation of state law or municipal ordinance, or
- (3) Create or cause to be created any disturbance or breach of the peace, and
- (4) Refuse to leave such property, when requested to do so by a law enforcement officer, provided that such officer has exercised his/her discretion reasonably under the circumstances in order to preserve or promote public order.

SECTION IV Exceptions to Enforcement

Special events sponsored by a recognized non-profit agency are excluded from enforcement provided written request for such exception is made to the Board of Selectmen within a reasonable time prior to the scheduled event.

SECTION V Penalty

Any person who violates any section of this Ordinance commits a civil violation for which forfeiture, not to exceed (\$100.00) one hundred dollars, may be adjudged.

SECTION VI Severability

If any provision of this Ordinance is determined invalid by a court of competent jurisdiction, such determination shall not render invalid the remaining portions of the Ordinance.

SECTION VII Enforcement

This Ordinance shall be enforced by the Skowhegan Police Department.