

AN ORDINANCE CONCERNING LOITERING ON PRIVATE PROPERTY IN THE TOWN OF PLAINVILLE

BE IT ORDAINED by the Town Council of the Town of Plainville.

SECTION 1. STATEMENT OF PURPOSE.

The purpose of this ordinance is to regulate and control loitering on private property in the Town of Plainville. No portion of this ordinance shall be construed to restrict the right of any persons to freely assemble for any lawful purpose.

SEC. 2. DEFINITIONS.

“Loiter” or “Loitering”: The terms loiter or loitering shall encompass one or more of the following acts:

- (1) Standing, sitting, walking or idly milling about or sitting inside a motor vehicle, with no lawful purpose.
- (2) Obstructing of the free, unhampered passage of pedestrians or vehicles.
- (3) Obstructing, molesting, interfering with or using foul and abusive language with or to any person lawfully upon any private property.
- (4) Congregating in groups or singly upon the private property of another.
- (5) Refusing to disperse or move on when so commanded by a police officer, provided such officer has exercised his discretion reasonably under the circumstances in order to preserve or promote public peace or order.

SEC. 3. LOITERING ON PRIVATE PROPERTY. It shall be unlawful for persons to loiter upon the sidewalks, parking lots, driveways, or other private property of another unless with the permission or consent of the owner thereof. All persons so loitering and refusing to disperse or move on when commanded to do so by a police officer, may be arrested and forthwith brought before the Circuit Court, or if it not be in session such person or persons may be held in custody until the next day upon which it shall be holden, or may be released upon sufficient bond and

commanded to appear before such court on said day, and upon conviction each person shall be punished by a fine not exceeding Fifty (\$50.00) Dollars.

SEC. 4. PARKING ON PRIVATE PROPERTY. It shall be unlawful for any person without right to park any motor vehicle upon the premises of another after having been forbidden to do so by the owner, either directly or by clear and legitimate signs posted thereon. Any person so parking any motor vehicle and refusing to move the vehicle when commanded by a police officer, shall be fined not more than fifty (\$50.00) dollars. Notwithstanding the above, whenever a police officer shall be requested to act concerning such motor vehicle which has been so parked and left unattended, he shall place upon such vehicle a notice directing the owner or operator thereof to appear at the Police Department prior to a time specified in said notice. If any person receiving said notice shall appear as directed, and shall pay a fine of \$10.00, such payment shall bar further prosecution for violation of Section 4 of this ordinance.

Adopted by Town Council Sept. 16, 1968.

Amended June 19, 1978.