

## **ORDINANCE**

[To Adopt City of Prattville Code of Ordinances, Chapter 50, Article III, Division 1, Secs. 51 - 54 – Loitering.]

**BE IT ORDAINED** by the City Council of the City of Prattville, Alabama, that Chapter 50

– Offenses and Miscellaneous Provisions, Article III. – Offenses Involving Public Peace and Order, Division 1. – Generally, Sec. 51-54 – Loitering is adopted as follows:

### **Sec. 50-51. - Loitering - Definitions**

The following definitions shall apply in the interpretation and enforcement of this article:

*Loitering* shall mean remaining idle in essentially one (1) location and shall include the concept of spending time idly, to be dilatory, to linger, to stay, to saunter, to delay, to stand around shall also include the colloquial expression “hanging around.”

*Public place* shall mean any place to which the general public has access and a right to do business, entertainment, or other lawful purpose, but does not necessarily mean a place devoted solely to the uses of the public. It shall also include front or immediate areas of any store, shop, restaurant, tavern or any other place of business and also public grounds, parking lots, areas or parks, which are not on private property.

*Private property* shall mean any property owned by a private individual(s) or entity(s), including parking lots.

### **Sec. 50-52. - Loitering in a Public Place**

It shall be unlawful for any person to loiter, enter, remain, prowl or wander about, whether in a motor vehicle or on foot, or engage in any disorderly conduct, loud, boisterous, threatening, abusive, insulting or indecent language, or engage in any behavior tending to a breach of the public peace in a public place or parking lot; including a public park for any unlawful purpose other than the intended use of the facility or public place in which the person is located.

### **Sec. 50-53. - Loitering on Private Property**

It shall be unlawful for any person to loiter, enter, remain, prowl or wander about, whether in a motor vehicle or on foot, upon or around any private premises, or in any enclosed lot, any parking lot, or in and around any dwelling, without the permission, consent or knowledge of the owner or lessee of the premises, lot or dwelling.

### **Sec. 50-54. - Penalties**

Any person found in violation of Secs. 50-52 or 50-53 shall be guilty of an offense. Upon first conviction, a person may be assessed a fine in the amount of \$125.00 and/or up to five (5) days in jail. Any person determined by an Officer of the City who has been convicted for violation of Secs. 50-52 or 50-53 on more than one prior occasion at a particular place, shall be trespassed from said property, in addition to the penalties above.

**ADOPTED THIS 19<sup>TH</sup> DAY OF APRIL, 2022.**

By: Gerald “Jerry” Starnes, President  
Prattville City Council

**AUTHENTICATED THIS 19<sup>TH</sup> DAY OF APRIL, 2022.**

By: Paula G. Barlow  
City Clerk

**APPROVED:**

By: Bill Gillespie, Jr.  
Mayor

