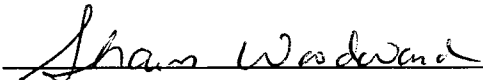


Town of Richmond

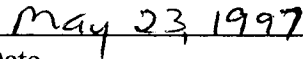
Section 1400

LOITERING ORDINANCE

ATTEST: This is a true copy of the Loitering Ordinance of the Town of Richmond as certified to me by the Richmond Board of Selectmen on May 22, 1997 for posting with the Town Warrant for the June 3, 1997 Annual Town Budget Meeting.



Sharon Woodward, Town Clerk



Date

TOWN OF RICHMOND

Section 1400

LOITERING ORDINANCE

Section 1401- Definitions

For the purpose of this Loitering Ordinance, the terms, phrases, words, and their derivations shall have the meaning given herein.

1401.1 *Loitering* shall mean remaining idle in essentially one location and shall also include the colloquial expression “hanging around”.

1401.2 *Public Place* shall mean any place to which the general public has access and a right to resort for business, entertainment, recreation or other lawful purpose. It shall also include the front or immediate area of any store, shop, restaurant, tavern or other place of business and also public grounds, area or parks.

Section 1402 - Violation ~ Police Order to Disperse

1402.1 It shall be unlawful for any person to loiter, either alone or in consort with others in a public place in such manner so as to obstruct or hinder any public street, public highway, public sidewalk or any other public place or building by hindering or impeding or intending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians, or to hinder or impede the operation of any store, shop, restaurant, tavern, or other place of business, to include public grounds, area or parks.

1402.2 When any person causes or commits any of the conditions enumerated in *Section 1402.1*, a police officer or any law enforcement officer shall order that person or persons to stop causing or committing such conditions and to move on or to disperse. Any person who fails or refuses to obey such orders, shall be guilty of a violation of this ordinance.

Section 1403 - Penalties

A violation of the loitering ordinance may include either a warning to the violator or a summons. A second violation shall result in a summons to the violator to the district court for violation of the loitering ordinance, and shall be subject to a fine of one-hundred dollars (\$100.00). Every violation resulting in a citation and a summons to court after the issuance of the first citation, and summons shall carry an additional fine of fifty- dollars (\$50.00) up to a maximum of five-

hundred dollars (\$500.00). Thereafter, each citation and summons shall carry a fine of not less than five-hundred dollars (\$500.00) to be paid by the individual charged. Alternate sentencing may be applicable, to include, but not limiting to, attendance by the violators to training, classroom, and counseling relative to the prevention of future violations. Other means of sentencing may be applied if agreed too and approved by the Board of Selectmen, and the Chief of Police. Fines, prosecution costs, and town attorney's fees are to be recovered for the use of the Town upon complaint and conviction.

Section 1404 - Savings Clause

If any section or part thereof of this ordinance shall be held invalid, the remaining provisions thereof shall remain in full force and effect.

Section 1405 - Repeal Clause

This ordinance hereby repeals Chapter 6, Section 6., "Loitering" , on page 44 of the Town of Richmond Municipal Ordinances (November 1, 1991) enacted June 27, 1977. All parts of existing ordinances inconsistent with this ordinance are hereby repealed.

Section 1406 - Effective Date

This ordinance shall become effective upon adoption by any affirmative majority vote at a legally called Richmond Town Meeting.

Certified: The Richmond Board of Selectmen being the Municipal Officers hereby certify to the Municipal Clerk that this is a true copy of the Loitering Ordinance of the Town of Richmond, Maine.

Given under our hand this 22nd day of May, 1997

Sandra Waig

David Peppard

H. Kenneth Dittell

James S. Yorkell Jr.

Richmond Board of Selectmen

Certified:

I hereby certify that this ordinance became effective on

JUNE 4, 1997

at a Town Meeting held at Richmond High School

Nancy E. Margetts

NANCY E. MARGETTS, Town Clerk

JUNE 4, 1997

Date