

Ord.
2008-0425

INTRODUCED BY: LARRY COCHRAN, COUNCILMAN, DISTRICT V

ORDINANCE NO. 08-11-1

An ordinance to amend the Code of Ordinances, Parish of St Charles, Chapter 14 Miscellaneous Provisions and Offenses, by deleting Section 14-4.2 and Section 14-4.4 and adding a new Section 14-4.2 **Loitering** which shall define said offense and provide penalties for violators.

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION 1. That Chapter 14 Miscellaneous Provisions and Offenses of the Code of Ordinances be amended by deleting Section 14-4.2 and Section 14-4 4 and adding a new Section 14-4 2 Loitering to read as follows:

Sec. 14-4.2. Loitering

Loiter or Loitering shall mean remaining in essentially one (1) location for no obvious reason, to linger, to stay, to saunter, to dawdle, to stand around, or to delay an activity with aimless stops and pauses or to otherwise spend time idly or to be dilatory, in such a manner as to intentionally

- (1) Obstruct any public street, public highway, public sidewalk or any other public place or building by hindering or impeding or tending to hinder or impede the free and uninterrupted passage of vehicles, traffic or pedestrians,
- (2) Commit in or upon any public street, public highway, public sidewalk or any other public place or building any act or thing which is an obstruction or interference to the free and uninterrupted use of property or with any business lawfully conducted by anyone in or upon or facing or fronting on any such public street, public highway, public sidewalk or any other public place or building, all of which prevents the free and uninterrupted ingress, egress and regress, therein, thereon and thereto; or
- (3) Obstruct the entrance to any public place, building or business establishment, without so doing for some lawful purpose, if contrary to the expressed wish, verbal or otherwise, of the owner, lessee, managing agent or person in control or charge of the public place, building or premises; the posting of a sign near the entrance or exit of a public place, building or business establishment, written in the English language, containing the words "No Loitering" or words to that effect and having letters of at least one and three-fourths (1 3/4) inches in height or of sufficient size and clarity to give notice to the public shall be prima facie proof of such expressed wish of the owner, lessee, managing agent or person in control or charge of the public place, building or premises

Public place shall mean any place to which the general public has access and a right of resort for business, entertainment or other lawful purpose, but does not necessarily mean a place devoted to the uses of the public. It shall also include the front or immediate area of any store, shop, restaurant, tavern or other place of business and also public, grounds, areas or parks

(a) It shall be unlawful for any person, either alone or in consort with others, to continue causing or continue committing any of the conditions in this section which constitute loitering after having been ordered by a law enforcement officer to move on or to disburse, any person who fails or refuses to obey such orders of a law enforcement officer shall be guilty of a violation of this section.

(b) Any person violating the provisions of this section shall be guilty of a misdemeanor and subject to a fine of one hundred dollars (\$100.00) and/or imprisoned for a term not exceeding thirty (30) days, or both

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows

YEAS: SCHEXNAYDRE, AUTHEMENT, RAYMOND, TASTET, BENEDETTO, HOGAN, COCHRAN, LAMBERT, NUSS

NAYS: NONE

ABSENT: NONE

And the ordinance was declared adopted this 3rd day of November, 2008, to become effective five (5) days after publication in the Official Journal.

No Loitering Revised

CHAIRMAN 

SECRETARY 

DLVD/PARISH PRESIDENT November 4, 2008

APPROVED _____ DISAPPROVED _____

PARISH PRESIDENT 

RETD/SECRETARY November 5, 2008

AT 9:05 am RECD BY 