

ORDINANCE TO PROHIBIT LOITERING OR PROWLING

ORDINANCE NO. 52

CITY OF HAMPTON, GEORGIA

AN ORDINANCE TO PROHIBIT LOITERING OR PROWLING WITHIN THE CITY OF HAMPTON; TO PROVIDE FOR PUNISHMENT; AND FOR OTHER PURPOSES.

Be it ordained by the City of Hampton, and it is hereby ordained as follows:

ARTICLE I - OFFENSE.

A person commits the offense of loitering or prowling when he is in a place at a time or in a manner not usual for law-abiding individuals under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity.

ARTICLE II - CIRCUMSTANCES.

Among the circumstances which may be considered in determining whether alarm is warranted in the fact that the person takes flight upon the appearance of a law enforcement officer, refuses to identify himself, or manifestly endeavors to conceal himself or any object. Unless flight by the person or other circumstances make it impracticable, a law enforcement officer shall, prior to any arrest for an offense under this Ordinance, afford the person an opportunity to dispel any alarm or immediate concern which would otherwise be warranted by requesting the person to identify himself and explain his presence and conduct. No person shall be convicted of an offense under this Ordinance if the law enforcement officer failed to comply with the foregoing procedure or if it appears at trial that the explanation given by the person was true and would have dispelled the alarm or immediate concern.

ARTICLE III - PUNISHMENT.

A person committing the offense of loitering or prowling shall be guilty of a misdemeanor.

ARTICLE IV - EFFECTIVE DATE.

This Article shall be effective immediately upon enactment.

ARTICLE V - REPEAL OF CONFLICTING ORDINANCES.

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

First Reading: APRIL 12, 1988

Second Reading: MAY 10, 1988

ADOPTED THIS 10TH DAY OF MAY, 1988.

Sammy Smith
MAYOR

W. M. Brayer
Councilman

Alice J. Pendley
Councilman

Wiley E. Evans
Councilman

Boyd W. Bostell
Councilman

Ernie Rayfield
Councilman

David Embay
Councilman

ATTEST:

Elaine Jones
CITY CLERK

REVIEWED:

CITY ATTORNEY