

ORDINANCE #178

VILLAGE OF BARAGA LOITERING ORDINANCE

PROWLING OR LOITERING:

No person shall prowl or loiter on foot, in a motor vehicle, or in any other way, in a place, at a time, or in a manner not usual for law-abiding individuals under circumstances that warrant alarm for the safety or health of any person or property in the vicinity.

Among the circumstances which may be used to determine whether such alarm is warranted is the fact that the person:

- a) Takes flight upon the appearance of, or investigation by a police officer.
- b) Refuses or fails to adequately identify himself; or
- c) Manifestly endeavors to conceal himself, or any object.

This enumeration shall be deemed partial, and shall not operate to exclude other circumstances which are within the general terms of the above section.

Unless flight by the person or other circumstances makes it impractical, a police officer shall prior to an arrest for an offense under this section, afford the person an opportunity to dispel any alarm which would otherwise be warranted, by requesting him to identify himself and explain his presence and conduct.

No person shall be convicted of an offense under this section if the police officer did not comply with the above paragraph, or if it appears at trial that the identification and explanation were true and, if believed by the police officer at the time, would have dispelled the alarm.

Persons convicted of a violation of this section shall be punished by imprisonment for not more than ninety (90) days, or by a fine of not more than five hundred (\$500.00) or both such fine and imprisonment in the discretion of the Court.

Adopted: 8-12-96

Published: 8-21-96

Effective: 9-20-96

This ordinance was duly adopted on 8-12-96 at a regular meeting of the Baraga Village Council, and will become effective 9-20-96.

Date: 8-12-96


Betty K. Fisher
Village Clerk