

Chapter 60

LOITERING

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[HISTORY: Adopted by the Mayor and Common Council of the City of Gloucester City 10-16-70. Amendments noted where applicable.]

GENERAL REFERENCES

- Curfew — See Ch. 30.
- Disorderly persons — See Ch. 41.
- Playgrounds — See Ch. 65.

Be it ordained by the Mayor and Common Council of the City of Gloucester City, in the County of Camden and State of New Jersey, that:

§ 60-1. Definitions.

LOITERING — Shall mean remaining idle in essentially one (1) location and shall include the concepts of spending

time idly, loafing or walking about aimlessly, and shall also include the colloquial expression "hanging around."

PUBLIC PLACE — Shall mean any place to which the public has access and shall include any street, highway, road, alley or sidewalk. It shall also include the front or the neighborhood of any store, shop, restaurant, tavern or other place of business, and public grounds, areas, parks, as well as parking lots or other vacant private property not owned by or under the control of the person charged with violating this ordinance, or, in the case of a minor, not owned or under the control of his parent or guardian.

PARENT or GUARDIAN — Shall mean and include any adult person having care or custody of a minor, whether by reason of blood relationship, the order of any court, or otherwise.

§ 60-2. Certain types of loitering prohibited.

No person shall loiter in a public place in such manner as to:

- A. Create or cause to be created a danger of a breach of the peace.
- B. Create or cause to be created any disturbance or annoyance to the comfort and repose of any person.
- C. Obstruct the free passage of pedestrians or vehicles.
- D. Obstruct, molest or interfere with any person lawfully in any public place as defined in § 60-1. This paragraph shall include the making of unsolicited remarks of an offensive, disgusting or insulting nature or which are calculated to annoy or disturb the person to, or in whose hearing, they are made.

§ 60-3. Discretion of police officer.

Whenever any police officer shall, in the exercise of reasonable judgment, decide that the presence of any person in any public place is causing or is likely to cause any of the conditions enumerated in § 60-2, he may, if he deems it necessary for the preservation of the public peace and safety, order that person to leave that place. Any person who shall refuse to leave after being ordered to do so by a police officer shall be guilty of a violation of this ordinance.

§ 60-4. Loitering by minors.

No parent or guardian of a minor under the age of eighteen (18) years shall knowingly permit that minor to loiter in violation of this ordinance.

§ 60-5. Notice of violation.

Whenever any minor under the age of eighteen (18) years is charged with a violation of this ordinance, his parent or guardian shall be notified of this fact by the Chief of Police or any other person designated by him to give such notice.

§ 60-6. Presumption.

If at any time within thirty (30) days following the giving of notice, as provided in § 60-5, the minor to whom such notice relates again violates this ordinance, it shall be presumed in the absence of evidence to the contrary that the minor did so with the knowledge and permission of his parent or guardian.

§ 60-7. Violations and penalties.

Any person violating any of the provisions of this ordinance shall, upon conviction, be punished by a fine not exceeding two hundred dollars (\$200.), or by imprisonment not exceeding thirty (30) days, or both, in the discretion of the court.

§ 60-8. Repeal of inconsistent ordinances.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

§ 60-9. When effective.

This ordinance shall take effect immediately after passage and publication as provided by law.