

ORDINANCE 11132023

AN ORDINANCE OF THE CITY OF EDGEWOOD TO ABATE LOITERING BY REGULATING THE USE OF ALL PLACES COMMONLY KNOWN AS BEING DISTINCTIVELY PUBLIC; ALL PLACES PRIVATELY OWNED BUT OPEN TO THE PUBLIC; AND ALL PLACES DISTINCTIVELY PRIVATE. PROVIDING FOR ENFORCEMENT; AND PROVIDING A PENALTY FOR VIOLATION.

WHEREAS, the City of Edgewood, a Texas Type A general-law municipality, may adopt ordinances that are for the good government, peace, or order of the municipality; and

WHEREAS, the City of Edgewood feels it is in the best interests of the health and safety of the citizens of Edgewood to abate loitering; and

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Edgewood, Texas that Article V- Loitering be added to Chapter 18 – Offenses and Miscellaneous Provisions of the City of Edgewood Code of Ordinances, which shall read as follows:

Article V – No Loitering

Section 18-90. Unlawful. It shall be unlawful for any person to loiter, as hereinafter defined, in, on, or about any place, public or private, when such loitering is accompanied by activity or is under circumstances that afford probable cause for alarm or concern for safety and well-being of persons or for the security of property, in the surrounding area.

Section 18-91. Definitions. The following words, terms, and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

1. *Loiter* means and includes the following activities: the walking about aimlessly without apparent purpose; lingering; hanging around; lagging behind; the idle spending of time; delaying; sauntering and moving slowly about, where such conduct is not due to physical defects or conditions.
2. *Place* means and includes, but is not limited to, the following: all places commonly known as being distinctively public, such as public streets, public restrooms, sidewalks, parks, parking lots, alleys and buildings; all places privately owned but open to the public generally such as shopping centers, transportation terminals, retail stores, movie theaters, office parking lots, buildings and restaurants; and all places distinctively private, such as homes or private residences and apartment houses,
3. *Surrounding area* means that area easily and immediately accessible to the person under observation.

Section 18.92. Enforcement. This section shall be enforced upon request in writing from the owners and/or managers of business establishments or shopping centers or areas, and the

posting of proper signs upon their premises stating that the premises are protected by City ordinance and give the Code of Ordinance section.

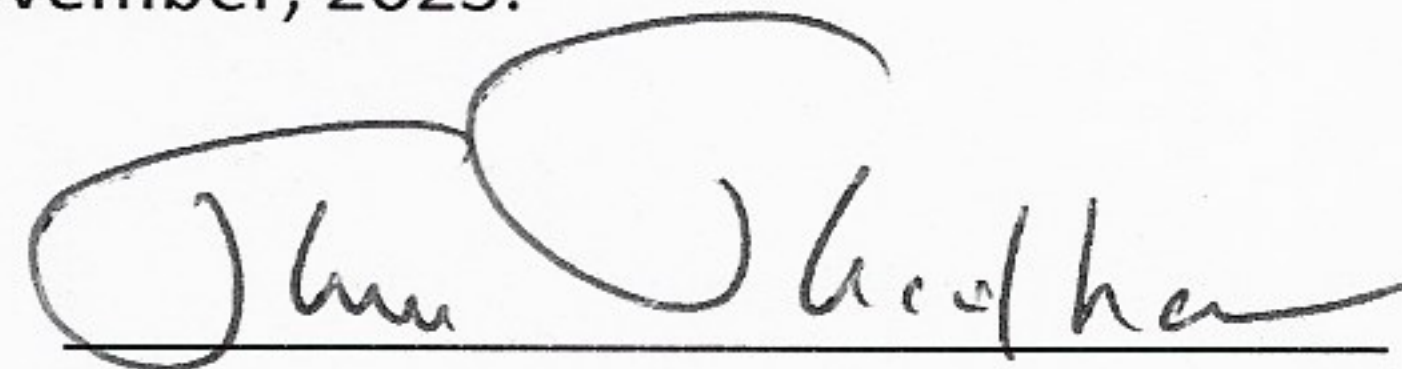
Section 18.93. Penalties. Any person violating the provisions of this section shall be subject to the penalties in section 1-8.

Section 18.94. Effective Date. This ordinance shall take effect from and after its passage by the Edgewood City Council.

Further, the City Secretary is hereby directed to give notice hereof by causing the caption of this ordinance to be published in a local newspaper of general circulation.

THIS ORDINANCE SHALL BECOME IMMEDIATE UPON PASSAGE.

PASSED AND APPROVED this the 13th day of November, 2023.

A handwritten signature in blue ink, appearing to read "Steve Steadham", written over a horizontal line.

Steve Steadham, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Kathleen Jordan", written over a horizontal line.

Kathleen Jordan, City Secretary